United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156 WASHINGTON, THURSDAY, JUNE 10, 2010 *No. 87*

House of Representatives

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

PRAYER

Bishop Miles Fowler, Big Miller Grove Missionary Baptist Church, Lithonia, Georgia, offered the following prayer:

God of all creation, we humbly approach Thy throne asking that You bless this august body of men and women as they endeavor to create legislation that will impact the lives of Your people.

Lord, help these leaders to lean not to their own understanding but to acknowledge You and seek Your guidance, that You may direct their paths.

We pray, Lord, that You give them the wisdom of Solomon, the strength of Sampson, the courage of Esther, and let these be tempered with Your grace.

Finally, Lord, bless President Obama, his family, and all of the leaders of this great Nation, in the matchless name of Your Son, Jesus, the Christ. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from North Carolina (Ms. FOXX) come forward and lead the House in the Pledge of Allegiance.

Ms. FOXX led the Pledge of Allegiance as follows:

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

WELCOMING BISHOP MILES E. FOWLER

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

There was no objection.

Mr. JOHNSON of Georgia. Madam Speaker, it is my great honor to welcome our guest chaplain, Bishop Miles E. Fowler, to the House of Representatives, and I thank him for offering his beautiful and thoughtful prayer to us this morning.

Bishop Miles E. Fowler joins us today from Lithonia, Georgia, where he is the pastor of Big Miller Grove Missionary Baptist Church, a position he has proudly held for the past 33 years.

Having served our Nation in the Air Force Reserve from 1957 to 1965, Bishop Fowler has since committed his life to the betterment of our country and its citizens through his ministry. As a pastor to more than 1,500 parishioners and a spiritual leader to more than 30 ministers under the auspices of Refuge Churches, his aim, personally and through his ministry, has always been to provide aid, assistance, and spiritual support in every aspect of our community.

As a committed husband, father, and grandfather—and his wife and some relatives are seated up in the gallery—Bishop Fowler recognizes the importance of family and has published two insightful works providing spiritual guidance for married couples.

Madam Speaker, I am pleased Bishop Fowler was able to share some of his words of wisdom and grace with us today. We recognize him for his continued commitment to his faith and community.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 10 further requests for 1-minute speeches on each side of the aisle.

CONGRATULATING CHICAGO BLACKHAWKS ON WINNING THE STANLEY CUP

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

Mr. QUIGLEY. Madam Speaker, you have no idea how much I'm going to enjoy this, but sometime late last night, Patrick Kane put the puck past a Philadelphia goaltender in overtime, and the Chicago Blackhawks became the Stanley Cup champions. Congratulations to the team for their great season. Many of these players have played over 120 games this season, including the Olympics, to achieve their one goal.

A special thanks to the owner of the Blackhawks, Rocky Wirtz—while hockey never left Chicago, he brought it back—the management team of John McDonough, Jay Blunk, Stan and Scotty Bowman, Coach Quenneville, and Dale Tallon.

Madam Speaker, today for all of us, with apology, Chicago is my kind of town.

TIME FOR A BUDGET THAT PUTS TAXPAYERS FIRST

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

Ms. FOXX. Madam Speaker, the 2010 Federal budget deficit will hit $1 trillion this month, and we've also recently learned that the Federal debt will reach $19.5 trillion by 2015. You'd think this would be a case for some real careful examination of the Federal budget. You'd think Congress would be looking everywhere for areas to trim and programs to cut. But that is not the case. It's been almost 2 months since the deadline to introduce a budget resolution passed, and House Democrats still haven't produced a budget. How are we going to get spending under control and bring down the deficit if Congress won't even consider a

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budget? Madam Speaker, it's time for Congress to consider a budget, one that puts taxpayers, not big government, first.

CHECK THE DEBT

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

Mr. WILSON of Ohio. Mr. Speaker, I share the concerns many Americans have about our country's financial future. I often hear from Ohioans who are worried about the financial burden we are leaving for the next generation. They want to know if there's anything they can do to help. That is why yesterday I introduced the Check the Debt Act.

This bill would add a ''check the debt'' box to our annual tax forms. This would allow individuals to contribute $3 to help pay down the national debt, without adding to their tax bill. This option would be similar to the public financing of campaigns check, where a check the box is already available on tax forms. Nearly 33 million people each year respond to public campaign financing without adding to their tax bill. This raises nearly $100 million annually for campaign financing.

That kind of money is a step in the right direction. It will enable and encourage Americans to lend a hand in paying down our debt. The $13 trillion debt our country has built up over the last several decades will not go away overnight, but we must start somewhere.

BULGARIA'S HISTORIC ANNIVERSARY

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

Mr. WILSON of South Carolina. Mr. Speaker, 20 years ago today, I served as an election observer in Bulgaria on behalf of the International Republican Institute, IRI. It was a life-changing dream come true for me to experience firsthand the birth of liberty in a captive nation which had been subjected for decades to Nazism and Communism. As a lifelong Cold Warrior, I always promoted victory over Communism.

On June 10, 1990, the people of Bulgaria participated in the first free elections since the 1930s. It was inspiring to visit polling places in the Plovdiv region and witness the young and old participating freely. The talented people of Bulgaria were unshackled. People did not want to be a slavish Soviet satellite.

Since then, Bulgaria has evolved from the antiquated, frozen-in-time nation of the 1930s to being a vibrant free market democracy of today. It is now a valued member of NATO, with troops having served in Iraq and Afghanistan. It is a dynamic member of the European Union.

In conclusion, God bless our troops, and we will never forget September 11th in the Global War on Terrorism. God bless Bulgaria.

$250 CHECKS FOR SENIORS

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

Mrs. DAHLKEMPER. Mr. Speaker, today, checks will go in the mail to 189,000 seniors across Pennsylvania, including thousands in my district in Western Pennsylvania. This will help them pay for prescription drugs. These $250 checks are on the way to seniors who fell victim to the prescription drug donut hole in Medicare. The $250 checks are just the first step in reducing prescription drug prices for seniors under the new health care reform. Next year, seniors in the donut hole will get a 50 percent discount on name-brand prescription drugs and a 75 percent discount on generics. The average Pennsylvania senior will save $700 next year on prescription drugs because of the health care reform bill. This is a down payment on reducing prescription drug costs for seniors and eventually closing the donut hole altogether. I am proud that our health care reform legislation is helping seniors during this difficult time.

□ 1015

DOING NOTHING

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

Mr. PITTS. Mr. Speaker, once again the complete lack of leadership demonstrated by the administration on budget issues is extremely disappointing.

When the President introduced his budget earlier this year, he projected trillion dollar deficits for years to come. To fix the problem, he passed the buck to a new debt commission. This week, when Budget Director Peter Orszag was asked about whether the administration would send a package of budget cuts to Congress, he said that it would be a ''fruitless exercise.''

Certainly Congress controls the purse, but the President plays a critical role in providing leadership on spending issues. I know that House Republicans would support a substantial package of budget cuts. We are not going to wait for the President, however. We are going to keep introducing sensible measures to reduce spending, and we are going to let the American people have their say on the YouCut Web site.

Our national debt has reached the level where it is holding back our economic growth. We shouldn't wait any longer to put the stops on government spending and borrowing, which is out of control.

HEALTH CARE REFORM

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

Mr. WALZ. Mr. Speaker, last week I had the opportunity to welcome Health and Human Services Secretary Kathleen Sebelius to my district and to the city of Rochester, Minnesota, home to the Mayo Clinic, to talk about the positive influence that the health care reform bill will have on Medicare reform, paying for value over volume and continuing to provide the highest quality care to our citizens at the lowest possible cost.

I also went over with my friend RON KIND into La Crosse, Wisconsin, to talk to seniors. We heard a lot about the Medicare part D doughnut hole. As my colleague from Pennsylvania said, this week $250 rebate checks will be going to them to allow those seniors who have worked their entire life to build this Nation and to prepare for a prosperous and comfortable retirement to be able to pay for that expensive doughnut hole as it was crafted under the previous law. There are 63,000 Minnesotans who will see that 3 weeks in advance.

This is just one of the many benefits that will come to them. It's absolutely critical our seniors in this country hear the facts, the real facts about health care reform, how it will end up bringing higher quality of care and lower costs paying down the national debt. I am proud that the Secretary could see that at the world-famous Mayo Clinic.

ISRAEL'S BLOCKADE

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

Mr. POE of Texas. Mr. Speaker, the Israelis check cargo for hidden weapons that is shipped into Gaza. Last week, six ships ran the security blockade and were boarded. People on one ship attacked and stabbed the Israeli soldiers and beat them with pipes. It was seen on televisions throughout the world. Ten Israeli soldiers were injured as they defended themselves, and, of course, they have the legal and moral right of self-defense.

But the hate Israel at any price crowd denounced the Israelis, and now our administration is telling Israel they shouldn't be so security conscious. ''Back off a little on the blockades,'' the White House says. And just so we don't hurt anybody's feelings, the administration is sending $400 million to Gaza. Why? What are the Palestinians going to do with that money. Buy more rockets to shoot into Israel? Who knows.

Who are we to tell our ally, Israel, how to secure its borders? We are giving advice to a country on smuggling security when we can't even keep the smuggling contraband out of our own country.

And that's just the way it is.

IN MEMORY OF GEORGE TILLER

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

Ms. CHU. Mr. Speaker, in 1970, Dr. Jack Tiller traveled to a convention in Canada with his wife and daughter. Tragically, their plane crashed, leaving behind his children, George and Diana.

George went to Wichita. He cared for a sick grandmother and orphaned nephew when they didn't have anyone else. He planned to be a dermatologist. Instead, he took over his father's general practice when he saw that local patients didn't have anyone else. Soon after, women asked him if he would do what his father did. They were desperate women who needed reproductive control over their lives. George said yes.

Now you know why George Tiller began the career that cost him his life, because he decided he would be there for women facing a crisis when they didn't have anyone else.

SPEAKING OUT FOR AMERICA'S FUTURE

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

Mr. SMITH of Texas. Mr. Speaker, the American people demand real change in Washington. From record deficit spending to the passage of a health care bill most Americans don't want, there is a serious disconnect between the congressional agenda and the desires of the American people.

America Speaking Out is a timely initiative designed to start an honest discussion between Americans and their representatives. Through this innovative new forum, the American people can give us their priorities and offer their ideas for a new agenda to solve the problems that confront our Nation.

There is a deficit of trust in Congress, and it is only by listening to the American people that we can earn back their trust and turn the country in the right direction.

Check out the Web site, America Speaking Out.

HEALTH CARE REFORM

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

Mr. BACA. Mr. Speaker, the historic health reform passed earlier this year is already having a positive impact on millions of American seniors.

Starting today, Medicare will begin mailing out $250 rebate checks to assist those who fall into the prescription drug doughnut hole. In my home State of California, over 382,000 seniors will now find it a little bit easier to afford lifesaving medicine they need, no longer making the decision of paying for medicine, paying for mortgages, or putting food on the table, but getting the service they need.

Starting next year, seniors in the doughnut hole will receive an additional 50 percent discount on all brand-name drugs. By the year 2020, the new law will totally close the doughnut hole.

But the benefits don't stop there. Health reform will provide free preventive care services to all Medicare recipients, and that extends Medicare solvency by an additional 12 years to the year 2029.

Those who continue to call for repeal of reform want to move us back to the era of higher drug costs and less security for seniors. Democrats will continue to fight to protect our most vulnerable Americans.

MR. PRESIDENT, WHOSE SIDE ARE YOU ON?

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

Mr. PENCE. We all agree the loss of life that occurred last week when a flotilla designed to challenge Israel's effective blockade of Gaza ended in military confrontation, but Israel has a right to defend itself.

The history is clear in that region. Gaza is controlled by a terrorist organization known as Hamas. Hamas used Gaza as a launching pad for thousands of rockets that killed innocent civilians in Israel. Israel responded with military force and has instituted a blockade that has saved lives in Gaza and in Israel.

There's no humanitarian crisis. Ten thousand tons of food and medical supplies are transferred into Gaza every single week.

Remarkably, yesterday, the President said it was time for Israel to sharply limit its effective blockade in Gaza saying, ''The situation in Gaza is unsustainable.'' The truth is, Mr. President, your policy in Israel is unsustainable. The American people are on the side of Israel and Israel's right to defend herself.

Mr. President, whose side are you on?

FILLING THE DOUGHNUT HOLE

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

Mr. STUPAK. Mr. Speaker, starting this week, tax-free rebate checks of $250 will be sent to seniors who have already hit the part D doughnut hole. This $250 rebate is a key improvement to Medicare and the first Medicare benefit of the new health care reform law to take effect.

These rebates are being sent out 3 months ahead of schedule, and the first round of checks will reach nearly 80,000 seniors who are already in the doughnut hole. Following this initial round of rebate checks, additional checks will be sent to seniors as they hit the doughnut hole. It's estimated that 4 million seniors across the country will receive a $250 rebate check this year.

This is just a first phase of relief for seniors from prescription drug costs. Next year, seniors in the doughnut hole will see a 50 percent discount on brand-name drugs.

While the Medicare part D prescription drug program has helped millions of seniors obtain prescription drug coverage, seniors who fall into the doughnut hole and receive no financial assistance with their prescription drugs are often forced to put their health in danger by splitting pills or skipping treatments altogether to save on costs.

Despite the clear benefits to seniors from the health care reform legislation, Republican leaders have now made it a priority to repeal this landmark law, which will take away these prescription drug cost savings and other benefits for seniors and millions of Americans. It is now time that we implement further reform.

FARM BILL ENERGY TITLE

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

Mr. SMITH of Nebraska. Mr. Speaker, one of the most difficult challenges facing our Nation's future is providing clean, affordable, and reliable energy. The 2008 Farm Bill Energy Title provided a commitment to farm-based energy.

While the intent of this agenda was to expand biofuels in a timely manner, many of my constituents have expressed frustration with the slow pace of USDA's implementation. Nebraska's Third Congressional District is a leader in biofuels, and I remain committed to advancing the critical, timely development of our Nation's biofuels industry while decreasing our Nation's dependence on foreign oil.

I am confident that we can provide a cleaner environment and alleviate some of the economic pain Americans continue to experience. However, without a strong commitment, our advanced biofuels industry faces massive uncertainties, jeopardizing our Nation's path to energy independence.

HEALTH CARE REFORM

(Mr. MURPHY of New York asked and was given permission to address the House for 1 minute.)

Mr. MURPHY of New York. Mr. Speaker, today we see the first benefits from the new health care reform law that was passed earlier by this Congress and signed into law by the President.

Eighty thousand seniors across America will be receiving checks that are being sent out, starting today, for

$250 to help pay the costs of their prescription drug coverage while they are in the doughnut hole. Other seniors that reach the doughnut hole through the rest of this year will also receive $250 checks to help them afford the prescription drugs they need to live their lives safely and happily.

Over the next 10 years, this health care reform will eliminate the doughnut hole completely for our seniors. That's a step in the right direction, providing security and safety in the health care that our seniors need.

Amazingly, though, some on the other side of the aisle are continuing to call, not to change the health care reform bill but to repeal it entirely, to cut up the checks, take them away from our seniors and stop the help that they need to pay for their prescription drugs.

We will always be working to make our health care system better, but repealing this positive step forward makes no sense to me.

$250 CHECKS TO SENIORS

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

Ms. EDWARDS of Maryland. Mr. Speaker, in 2003, Republicans said they were overhauling Medicare, but all they succeeded in doing was creating a prescription drug doughnut hole that, in 2009 alone, forced 63,000 Maryland seniors to pay thousands of dollars out of pocket, forcing many to choose between buying the prescription drugs they need or purchasing food.

The Nation's seniors shouldn't be forced to make such a choice. That's why, under the new health care law, we are dedicated to closing the doughnut hole once and for all.

Today, June 10, $250 checks are being mailed out to 80,000 eligible seniors as a first step to reducing the financial burden faced by seniors. Then next year there will be a 50 percent discount on prescription drugs in the doughnut hole.

Mr. Speaker, the first of many benefits under the health law that my Republican colleagues opposed and now hope to repeal is on the way. Our seniors and the rest of the country can't afford to go back to a broken system controlled by insurance companies with coverage gaps, denied care, and skyrocketing costs.

$250 FOR SENIORS

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

Mr. KLEIN of Florida. Mr. Speaker, today is a very important day for seniors in south Florida.

Today, more than 3 weeks ahead of schedule, checks to help cover the costs of prescription medication will be mailed to seniors who have fallen into the dreaded Medicare part D doughnut hole.

I have talked to many seniors in West Palm Beach and other parts of my district who had to make the wrenching choice between food and medicine. This should not happen in the America that I know, and that's why I personally have fought so hard to make sure that health care reform included reducing the cost of medicine for our seniors.

Starting today, payments of $250 will be mailed to every senior who falls in the doughnut hole to help cover their costs. This is an important step, but it's just the beginning, because starting next year, seniors will see a 50 percent discount on brand-name drugs and we will begin to close the doughnut hole for good.

Fighting for our seniors in south Florida is one of my top priorities, and today's checks will make a real difference for seniors who have worked hard and paid into the system. I look forward to continuing to work together to strengthen and protect Medicare.

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.

OIL SPILL LIABILITY TRUST FUND

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3473) to amend the Oil Pollution Act of 1990 to authorize advances from Oil Spill Liability Trust Fund for the Deepwater Horizon oil spill.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3473

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

SECTION 1. ADVANCES FROM OIL SPILL LIABILITY TRUST FUND FOR DEEPWATER HORIZON OIL SPILL.

Section 6002(b) of the Oil Pollution Act of 1990 (33 U.S.C. 2752) is amended in the second sentence—

(1) by inserting ''(1)'' after ''Coast Guard''; and

(2) by inserting before the period at the end the following: ''and (2) in the case of the discharge of oil that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, may, without further appropriation, obtain 1 or more advances from the Fund as needed, up to a maximum of $100,000,000 for each advance, with the total amount of all advances not to exceed the amounts available under section 9509(c)(2) of the Internal Revenue Code of 1986, and within 7 days of each advance, shall notify Congress of the amount advanced and the facts and circumstances necessitating the advance''.

SEC. 2. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

□ 1030

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

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on S. 3473.

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

There was no objection.

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

First, I am grateful for the indulgence of our colleague on the committee, our ranking member and senior Republican, Mr. MICA, for responding so quickly to the action of the other body.

We are unaccustomed to such prompt unanimous action in the other body, but they did pass, by unanimous consent, the bill before us now, S. 3473, in response to requests of the Department of Homeland Security, Secretary Napolitano, and Admiral Thad Allen, the National Incident Commander, following up on the May 12 request of the administration for legislative changes to, quote, ''speed assistance to people in need,'' close quote, in response to the BP-Deepwater Horizon tragedy.

The request further asks the Congress to, quote, ''act immediately on return from recess,'' close quote. And that is exactly what we are doing, but preceded by a hearing the committee held yesterday on the many aspects of the Oil Spill Liability Trust Fund and payment from responsible parties and the need for future legislation.

And the gentleman from Florida had several instructive and thoughtful suggestions that we in the committee will be acting upon per our previous agreement.

I want to lay out the specifics.

First of all, the request: Quoting again from the Homeland Security Department letter, ''Congress needs to act now to permit movement of moneys from the principal fund to the emergency fund. At the current pace of BP-Deepwater Horizon response operations, funding available in the emergency fund will be insufficient to sustain Federal response operations within 2 weeks.'' That's from June 4.

''At that point, the Federal on-scene coordinator would not be able to commit sufficient funds to the agencies involved in the Federal response, including National Guard, Department of Defense, National Oceanic and Atmospheric Administration, Environmental Protection Agency, Department of Interior, and Department of Agriculture, to continue to provide critical response services, including logistical support, such as moving boom from Alaska and California to Louisiana; scientific support, such as evaluating the environmental impact of the spill and the response; and public health support, such as ensuring seafood from the gulf region is safe and monitoring fumes that might be a public health issue.

''Additional transfers from the Oil Spill Liability Trust Fund principal fund to the emergency fund are needed to fulfill the President's order to bring all available and appropriate resources to bear in response to this disaster. Furthermore, depleting all currently available funds puts at risk the Nation's ability to address any new spills unrelated to the BP-Deepwater Horizon.''

Second, I must note and affirm, as was done in our hearing yesterday, that any moneys advanced from the trust fund will be repaid by the responsible party—in this case, BP.

I was part of crafting OPA 90 and its predecessors in my previous service on the now-dissolved Merchant Marine Fisheries Committee, which jurisdiction transfers to our Committee on Transportation and Infrastructure. The whole concept of the Oil Spill Liability Trust Fund was from previous experience that there needed to be an immediate response by government agencies on scene to lay out funds, as was already spelled out in the letter from Homeland Security, without having to wait for negotiations with the responsible party.

In those years, up through the 1990s, all the attention was turned to spills from tankers, oceangoing vessels, bulk carriage of crude oil, principally, but other product as well.

The requirement was to get on the scene quickly, corral the oil, and contain the spill. The government needed to act quickly. The Coast Guard had the capability to do that. But we didn't want—and we had experience with Torrey Canyon and the Amoco Cadiz that there were long waits for the responsible party to make payments to government agencies responding in the case of France and the U.K. and in the case of U.S. Government agencies.

So the Oil Spill Liability Trust Fund was established to have a financial resource for government agencies to respond quickly and then bill the responsible party. That has been done in the case of the Deepwater Horizon spill.

At our hearing yesterday, Craig Bennett, director of the National Pollution Funds Center, said, ''All funds expended will be billed to BP and ultimately recovered. These funds are deposited into the principal fund, not the emergency fund. As of June 1, 2010, obligations against the emergency fund for Federal response efforts totaled $93 million.''

That figure has now grown to $114 million. So it's bumping up against the limit of $150 million—the $100 million, plus the baseline $50 million for emergency response.

''At the current pace of operations, funding available,'' continuing with Director Bennett, ''in the emergency fund will be insufficient to sustain Federal response operations within 2 weeks.'' And we're very close to that number now.

The Coast Guard has, according to information supplied by the Coast Guard, billed BP $69 million. That billing, when responded to by BP, will be deposited in the general fund of the Oil Spill Liability Trust Fund to replenish the fund. And additional expenditures will be billed against BP for deposit in the fund.

I further note that the Senate's bill amends section 6002 of the Oil Pollution Act of 1990 and provides for, quote, ''one or more advances from the fund, as needed, up to a maximum of $100 million for each advance, with the total amount of all advances not to exceed amounts available in section 9509(c)(2) of the Internal Revenue Code of 1986''—that deals with the Oil Spill Liability Trust Fund—''and within 7 days of each advance''—7 days' notice—''shall notify Congress of the amount advanced and the facts and circumstances necessitating the advance.''

Now, that language will come after the end of the period of section 6002(b) and will supplement, but not displace, the 30-day notice requirement of the basic law.

Congress will be notified when the Coast Guard needs to borrow from the trust fund up to the maximum of $100 million for each advance it requests within 7 days. And we will receive all the information: the amount they're requesting, the facts, and the circumstances justifying the request for an advance.

I think this language parallels language that the House has included in our supplemental appropriations bill but not yet passed. It's important to take this action now.

This language clearly needs refinement, as was evident in the hearing we held yesterday, and I think the gentleman from Florida will agree. He has some very thoughtful ideas. We will merge those with other testimony submitted at yesterday's hearing and proceed with a legislative package in the coming 2 weeks.

Again, I thank the gentleman from Florida for participating in yesterday's hearing and for a response today.

I reserve the balance of my time.

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

Mr. Speaker and my colleagues, this is an emergency situation, and it requires emergency action by the House of Representatives.

The United States Senate, the other body, has acted and sent us S. 3743, which will allow us to expand some of the use of the funds that have been accumulated in the national Oil Spill Liability Trust Fund on an emergency basis. I am pleased that the other body acted. This is a unique and very difficult situation dealing with a very unique and difficult national disaster.

First, I would be remiss if I didn't remember today those families who will be in Washington visiting with President Obama. Eleven individuals lost their lives when the oil rig, the Horizon, exploded in April. I know the President will be meeting with them. And, on behalf of all the Members of Congress, we extend our condolences for that loss of life.

Right now we are dealing with the results of that disaster. This disaster and explosion, sinking of the rig and the uncontrolled oil spill—fortunately, there has been some progress in that regard, but incredible amounts of oil have spilt into the gulf and now endangers the shores of at least four of our States.

In 1990, we set up an Oil Spill Liability Trust Fund, and that was after the Exxon Valdez. That fund has in it $1.6 billion, a substantial amount of money.

Now, that fund was not set up to relieve anyone of responsibility if they are negligent, and it was also not a fund to pay for cleanup costs that are clearly assigned, clearly identifiable. A lot of it was intended for what they call an ''orphan spill,'' or a spill where you don't know where the oil came from, the polluting substance came from.

Within that $1.6 billion trust fund for oil spills that we created, we have an emergency fund of $150 million that can be expended immediately. Now, what has taken place is that fund, the 150 million emergency dollars that can be spent—right now Thad Allen is doing a great job in leading the effort for the United States—and, as you know, he just retired from the Coast Guard—doing a wonderful job, but he has the responsibility of reacting now and immediately.

It took some time for the administration to get him in place and also to declare this a spill of national significance, but he is on the job and he needs the resources.

Now, the resources are running out. We do have a letter, which I will submit for the RECORD and to the Congress at this time. This is to the Speaker of the House, and it is from the Director of the Office of Management and Budget.

And he says, ''All the costs of this fund also that are being expended at this point must be repaid. But, at this current time, in just a matter of days, the emergency fund will run out.'' So we have documentation of the need from OMB.

And just a few minutes ago, we received from the Federal on-scene coordinator the statement that their requirements to support the continuing ongoing effort will bring the emergency fund to a critically low level over the next 7 days.

□ 1045

So we can't have the cleanup efforts come to a halt. We must act. Now, I saw the need for this yesterday and met with colleagues on my side of the aisle. We had a hearing in the Transportation and Infrastructure Committee. Mr. OBERSTAR and I agreed that we must act. The Senate has acted.

We have before us S. 3473. This morning, myself and other colleagues in Congress introduced H.R. 5499. That's mirror legislation. So both the Republican and Democrat House and Senate agree on the provisions of this legislation, which will allow in $100 million increments the expansion of the emergency fund.

Now let me make this very clear: the Oil Spill Liability Trust Fund is not going to be a piggy bank for BP or for other responsible parties. This money must, should, and will be repaid. This is only a temporary measure. It is only a temporary measure, too, because the money that they are repaying goes back into that larger fund, not into the emergency fund. This legislation will correct, again, the inability of accessing a larger amount of money on a needed basis.

So we have introduced mirror legislation today. This is a cooperative and bipartisan effort. However, this is a terrible disaster, and questions need to be raised about what has caused us to get to this situation. Quite frankly, I'm quite baffled about some of the administration's positions on deepwater offshore drilling.

In the beginning of this year, in February, we received the budget from the President of the United States and the administration. In this budget, they proposed cuts to the Coast Guard of more than 1,000 positions. They also proposed cuts to and proposed the decommissioning of some of the ships, the helicopters and the planes that we see now involved in this very important mission. Not only did they propose cuts to the Coast Guard, our first responder, but in February they also proposed cuts to the Department of the Interior—and look this up, if you will—and to the Minerals Management Service, which is responsible for environmental reviews. This is what they proposed in February.

Then in March they proposed the expansion of drilling in the gulf. I remember I and FRANK LOBIONDO, the ranking member, sent out a press release when we read about these cuts within the Coast Guard, and we said that this was a recipe for disaster. Fortunately, those cuts have not been enacted; and I believe, even before this oil spill, there was bipartisan support not to enact those cuts that were recommended.

In light of the administration's policy to expand drilling in the gulf, some people say I've been too tough on the Obama administration. I think the Obama administration does have a responsibility in this. They did issue the permit that allowed the drilling, and I have the 1-page permit.

Here is the 1-page approval: April 6, 2009, approval for deepwater drilling at 5,000 feet.

I have what I call the ''deficient plan'' that they approved that was submitted by BP in March. So in less days than it took in some instances to approve now of a cleanup of proposals, they rubber-stamped and gave carte blanche approval.

Let me say that I also criticized the Bush administration, but I went back and looked at what the Bush administration did with the agency that was responsible for issuing these permits. This is a memorandum from the Office of Inspector General, and it is dated September 9, 2008, which was during the Bush administration. This is what the Bush administration did in that agency that issued this permit under this new administration.

This memo conveys the results of three separate Office of Inspector General investigations into allegations against more than a dozen current and former Minerals Management Service employees. I went on to read what else the Bush administration did with regard to this agency that was responsible for issuing these permits.

Listen to this: Collectively, our recent work in the Minerals Management Service has taken well over 2 years. They investigated these folks. It also involved the OIG, Office of Inspector General, and Human Resources. There was an expenditure of nearly $5.3 million in OIG funds. There were 233 witnesses and subjects who were interviewed, many of them multiple times. Roughly 470,000 pages of documents were reviewed, and people were prosecuted, under the former administration, in this agency.

Now, the latest reports I have, which I discussed yesterday at the hearing, were that, in fact, we have reports of inspections by this agency, the Minerals Management Service, which were supposed to be done by these officers of that Federal agency. They were actually penciled in, we believe, and those are the reports we have by oil workers, which were then inked over by these folks. It is nice for this administration to have spent time rewarding BP with safety awards in the prior year. It is nice for them to have a good working relationship with those folks who are responsible for issuing the permits, but I think we need to take a closer look at how we got ourselves into this situation.

What brings us to this day when we've expended the emergency fund for cleanup that we have to take an emergency step like this?

Now, I support this measure, but I'm telling you that every penny needs to be paid back. This fund, this Oil Spill Liability Trust Fund that was put in place, shall not and cannot be used, as I said before, as a piggy bank for BP or for any responsible parties.

Where is the money? Where is the billing?

In the private sector, if you have a bill due, you pay it. As of yesterday, the staff told me that BP has been billed $69 million. As of yesterday, the information that we had is that they hadn't paid the bill. If they paid the bill, we still probably would have to be here because of the terms of the current legislation to allow access to additional money, but that money needs to go back into the trust fund, and it needs to be paid for by the responsible parties.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, June 7, 2010.

Hon. NANCY PELOSI,

Speaker of the House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: I am writing to urge the Congress to move quickly in enacting the FY 2010 Supplemental request. On June 4, 2010, Secretary Napolitano announced that the Coast Guard believes that within the next two weeks funding levels in the Oil Spill Liability Trust Fund's expenditure account will drop to levels that will force the Federal On-Scene Coordinator to begin to cut back Federal Deepwater Horizon response activities. We cannot allow the lack of funding to hamstring our Federal response to this national catastrophe.

On May 12, the Administration proposed legislation to support the BP/Deepwater Horizon response and speed assistance to people in need. Included in this package was a provision that would permit the Coast Guard and its National Pollution Funds Center to move funds from the Oil Spill Liability Trust Fund to the Emergency Fund so that the Federal response effort can continue without interruption. Specifically, the legislative changes would permit the Coast Guard to obtain additional advances in tranches of $100 million up to the incident cap for the Oil Spill Liability Trust Fund. All of these costs are being billed to the responsible parties and the receipts will be deposited in the Trust Fund.

The President has ordered Federal agencies to bring all available and appropriate resources to bear in response to this disaster. Without legislative authorization, however, the Coast Guard cannot access the additional emergency fund resources necessary to pay for the Federal agencies' response to this tragic oil spill.

We appreciate your support in moving this critical legislation forward in the coming days.

Sincerely,

PETER R. ORSZAG,

Director.

I reserve the balance of my time.

Mr. OBERSTAR. I yield myself 1 minute.

I completely agree with the gentleman. As the gentleman from Florida and I discussed in our hearing yesterday, the purpose of the trust fund is not to relieve anyone of responsibility.

I was part of crafting that legislation in 1990 and its predecessors. It was

clearly our intent that this should be a fund to give the government the authority to move quickly, to get on the scene, to begin cleanup before industry responds, to bill the industry in order to make them pay into the trust fund, and to keep the industry responsible.

Secondly, the gentleman included orphan sites in his commentary. The legislation is not exclusively limited to orphan sites.

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

Mr. OBERSTAR. I yield myself an additional minute.

An orphan site is one of the issues to be addressed, as we do under the Superfund Act. Yet the order of priority for response under the law, its first responsibility, is for the responsible party to act to the limit of its liability under the Oil Spill Act. We have to address that limit of liability. The hearing yesterday explored the range of dollar amounts of liability from the current $75 million to some greater number, including unlimited liability. That is something we are going to have to discuss in committee.

So far, BP has, as the responsible party, spent $1 billion, and they are responding. Yesterday, when I made the announcement at our committee hearing that the Coast Guard had billed BP for $69 million, we still do not have a response on what the status is of repayment by BP into the trust fund, but we will have that information.

Thirdly, I agree with the gentleman that the trust fund is not a piggy bank for BP.

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

Mr. OBERSTAR. I yield myself an additional minute.

We are going to hold them accountable. The Coast Guard will hold them accountable. I do want to point out that the emergency fund is an account within the Oil Spill Liability Trust Fund. It is not a separate fund of its own.

Further, as the gentleman was critical of the administration's budget and properly said this is bipartisan criticism, our committee budget, in response to that of the administration, rejected their proposed cuts for the Coast Guard. We understand there is no daylight between us.

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

Mr. OBERSTAR. I yield myself an additional 30 seconds.

I would also point out that the previous administration of 2005, six, seven, and eight approved 4,120 offshore leases, including for this particular MMS lease sale—or 206—an exemption from a ''blow-out scenario requirement'' for Outer Continental Shelf actions in the gulf. BP's exploration plan for Deepwater Horizon did not therefore include an analysis or a response plan for a blow-out at the wellhead.

Now I yield 3 minutes to the chair of the Coast Guard Subcommittee, the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Thank you for yielding, Mr. Chairman.

Mr. Speaker, first of all, in following up on what the chairman just spoke about, we just got an email from the Coast Guard saying that BP has assured them that the near $70 million for which they have been billed will be paid by the end of next week, and we will hold their feet to the fire.

As chairman of the Subcommittee on the Coast Guard and Maritime Transportation, I rise today in strong support of S. 3473, legislation to amend the Oil Pollution Act of 1990 to authorize advances from the Oil Spill Liability Trust Fund for the response to the Deepwater Horizon oil spill.

The Oil Spill Liability Trust Fund consists of two funds—the principal fund and an emergency fund. As was described yesterday by Mr. Craig Bennett, director of the National Pollution Funds Center, the emergency fund is, in essence, the operating fund from which we take the money necessary to pay for the operations of the 27 Federal entities that are responding to the Deepwater Horizon crisis. On May 3, the emergency fund received an authorized advance of $100 million. There is currently no statutory authority for any more advances to be made. Furthermore, as of June 1, obligations from the fund totaled $93 million.

We cannot allow the fund to go dry. This legislation simply authorizes additional advances of up to $100 million per advance. Nothing in this legislation relieves BP of its responsibility to cover all of the costs which have and which will continue to result from this tragedy.

I emphasize to our distinguished ranking member that I don't think there is one person in this body, either on your side or on this side, who is not adamant about making sure that BP pays every single penny—not dime—but every single penny that is due to the American people. However, based on the way the fund is currently established, it is necessary to authorize additional funds today in order to ensure that Federal response efforts are not interrupted.

I have already made two trips to the gulf coast, and I hope to make another one. I have seen firsthand the devastation caused by this spill. We cannot allow anything to threaten our ongoing cleanup efforts. Therefore, I urge my colleagues to join us in the passing of S. 3473.

I also would note, Mr. Speaker, that this allows us to act with the urgency of now to address these issues. We have windows of opportunity within which we can act and can get things done. We can get them done. We will get our money back, but the fact is that we have got to act now because there are people suffering, not only in Louisiana, but, certainly, in the ranking member's State and in so many other places.

□ 1100

And so, with that, I want to thank the chairman and the ranking member for expeditiously getting this bill to the floor so that we can address the needs of our people.

Mr. MICA. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. CAO), also a member of the Transportation and Infrastructure Committee.

Mr. CAO. Mr. Speaker, right after the oil spill, I had the opportunity to fly over the spill at ground zero, and as I flew over the gulf, I saw thousands of square miles of our beautiful waters being covered by this brown sludge and additional thousands of square miles of our beautiful gulf was covered by this oily slick.

I also toured by boat just a couple of weeks ago with the officials of Plaquemines Parish as well as Jefferson Parish, and as I was traveling through Barataria Bay, I saw patches of brown oil infringing on the oyster beds that are so integral to the seafood industry of Louisiana. And as I saw the oil as it encroaches upon the marshes and the wetlands, my heart dropped for the State of Louisiana as well as for the many fishermen and the many small businesses that are impacted by this catastrophe.

I also spent much of my time visiting businesses and talking to small business owners who are being impacted by this oil spill. I visited a seafood open market in Westwego and saw half of the businesses closed, and the parking lot remained empty. And I spoke to the business owners, and they informed me that their business has declined by more than half since the oil spill. And instead of being open for 5 days out of the week, 6 days out of the week, they are only open now 2 days out of the week.

So we see that the oil spill has had a devastating impact on the many people of the gulf coast and the many small businesses of the people of my district. Therefore, I believe that it is integral that we allow the money from the trust fund to be transferred to allow the Coast Guard the necessary resources to address the cleaning up of this oil spill.

We saw an absence of Federal Government post-Katrina. We saw how thousands of people struggled post-Katrina because of the absence of government, and I do not want the same problem to occur here with respect to this disaster caused by this oil spill. Therefore, I ask all of the Members to support this position.

Mr. OBERSTAR. I yield 2 minutes to the distinguished gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Speaker, I thank the chairman, the distinguished gentleman from Minnesota, for the time and also for dealing promptly with this legislation.

There is a more than $1.5 billion today in the trust fund, but the Coast

Guard and the other government agencies cannot access that because of existing limits on the per incident expenses and because of the cap on using this for natural resources and economic damages.

The trust fund exists so that we can get on with the work at hand, and I'm pleased that the chairman and the ranking member are moving promptly to give the administration the tools that they need to deal with this. There is work to be done, and it must be done quickly. This will take care of immediate expenditures.

We have also dealt with, here in the House, increasing the total capacity of the trust fund, and we must rapidly build up those collections from the oil companies in that trust fund. And then, of course, we must recover from BP and the other responsible parties the money that is used from the trust fund.

So spending this money now, and I hope the chairman has been clear for our colleagues, spending that money now does not absolve BP of any responsibility. It just allows the work to get on, and the funds will be collected from BP.

Also, because this only deals with the immediate incident, there is still a need to, I would argue, pass the Big Oil Bailout Prevention Act, or something of the sort that I've introduced along with a number of cosponsors, to deal with this long term, to raise the liability limit so that we can collect everything that is necessary from oil companies.

Mr. MICA. I yield 2½ minutes to the distinguished gentleman from North Carolina (Mr. COBLE), also a senior member of the T and I Committee.

Mr. COBLE. Mr. Speaker, I rise in support of S. 3473. This legislation is absolutely critical to continue our oil spill response efforts in the Gulf of Mexico.

The Coast Guard and other agencies involved in the response to the Deepwater Horizon oil spill are spending tremendous amounts of time and effort ensuring every tangible resource is available to meet this response. By passing this legislation, we ensure that the Coast Guard can maintain these valiant efforts, while simultaneously ensuring other important missions are met, including maritime safety, security, defense, search and rescue efforts, mobility, and preparedness. As America's maritime guardian. The Coast Guard is always ready, and this legislation ensures this goal can continue to be met.

Finally, Mr. Speaker, it is important to note that the oil spill trust fund is funded by the petroleum industry and not the taxpayers.

I urge passage.

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

Mr. MICA. Well, Mr. Speaker, I will summarize for our side.

First of all, again, this is an emergency situation. We have to act, we must act, and we will act. Let me make it clear, and I'm glad everyone on the other side has made it very clear, that BP's feet will be held to the fire to repay this money.

Now, it's good to come out here and hear that BP has called the other side and told them that they're going to pay, the check is in the mail, and that's all well, fine, and good. But I'd be glad to send somebody down to OMB and show them how they can send a rapid request for payment to BP as this thing moved forward because, again, the taxpayer shouldn't be left on the hook nor should this fund be left on the hook in any way for responsibility for this cleanup.

Finally, just a couple of points. It was mentioned that the Bush administration gave 4,200 leases—I think that was the figure—and that is true. It's also true, and the Democrat staff did an excellent job—I complimented them yesterday—in getting a list of the current drilling and production activities in the Gulf of Mexico, and I'll submit this to the RECORD. But if you look, there are about 3,500, 3,492 wells in relatively shallow water, 200 meters, about 600 feet up to the surface. There are only 25 a thousand meters below.

The Obama administration, coming into office, issued—these are deepwater, 1,000 feet to 8,000 feet—more than two dozen. We'll also submit that to the RECORD.

Now, if they knew this was a management problem in the Minerals Management Service, and I just cited the Bush administration investigated that agency for 2 years and conducted a very thorough review of what was going on, they must have known there was a management problem when they inherited it.

Instead, what did they do? Faster than BP can pay their bill, they took the proposal from BP in deepwater, some of the deepest water drill—here are the number of ones that the committee found that there's deepwater drilling in—and they carte blanche, rubber-stamped approval of this outline that BP gave them. One page, April 6. Those are the facts.

DRILLING AND PRODUCTION ACTIVITIES IN THE GULF OF MEXICO

Water depth in meters–	Active leases	Approved applications to drill–	Active platforms
0–200–	2,279–	33,590–	3,492
201–400–	143–	1,099–	21
401–800–	330–	835–	9
801–1,000–	412–	506–	7
1,000 and above	3,454–	1,634–	25
Total–	6,618–	37,664–	3,554

Source: MMS, current as of June 1, 2010

I yield back the balance of my time.

Mr. OBERSTAR. Mr. Speaker, I yield 30 seconds to the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Mr. OBERSTAR, thank you for your leadership. Chairman CUMMINGS, as well, thank you for your leadership.

The Coast Guard is poised in the gulf working overtime, waiting for this drawdown, which is a reimbursable drawdown. But we have to do something now. We have to do something for the shrimpers, the fishermen, the oystermen, the restaurants. We have to do something for the people who are bleeding and need our help.

This is a BP problem, but it is an oil industry problem. We have to see them rise to the occasion, to develop a better claims system, to develop a recovery plan. But right now, the Coast Guard, as told to us in a meeting with them last week with Chairman CUMMINGS and Chairwoman BROWN, they need the money now. This is an important step.

We can go back and look at the noes, but we've got to say yes today. Vote for this legislation.

I also wish to thank Senator REID for introducing this very important piece of legislation in such a timely manner. Today, I rise in support of S. 3473, an amendment that would authorize advances from the Oil Spill Liability Trust Fund as created by the Oil Pollution Act of 1990.

BP is dragging its heels on the oil spill cleanup. The sooner we can get the wheels turning on the cleanup, the sooner we can make families whole again and ensure a safe environment for the Americans that had to bear the brunt of this disaster of mammoth proportions. Releasing some of the funds from the aforementioned trust will allow individuals to be able to support themselves in their Gulf-based industry. Just yesterday I testified before the House Transportation and Infrastructure Committee and proposed legislation that would allow for the release of 100 million dollars from the Oil Spill Liability Trust Fund.

The sooner we address the problem, the more likely we are to prevent more extensive damage. It has been well noted that BP's efforts alone will not suffice. As members of Congress, we must do everything we can to address and resolve this crisis in the most expedient manner, and releasing these funds will allow for a more efficient response.

This amendment would provide a much-needed source of recourse and restitution for those victimized by this environmental disaster of massive proportions, caused by the April 20, 2010 explosion on the Deepwater Horizon oil vessel. It will also provide an avenue for accountability, which should be assigned, appropriately, to the parties responsible for imposing such suffering on the residents of the Gulf Coast area.

We are all very much aware of the hardship that has been inflicted upon the people in the Gulf Coast region. The oil, gushing at a rate of at least 12,000 to 19,000 barrels a day, has now spread over 42 miles beyond the spill site, 3,300 miles beneath the surface of the ocean. In its most concentrated areas, oil plumes created by the spill are sometimes over 15 miles long and 1,500 feet thick, depths below the water. This does not even account for the immense volume of oil which is less concentrated, but still very much diluted with the water of the Gulf Coast.

The immediate effects of the spill are being felt as far west as Houma, Louisiana, and as far east as the Apalachicola Bay in Florida. Not only have there been serious environmental effects, but marine wildlife has been seriously impeded by the developments. Fishermen and workers in related industries are

being deprived of their very source of income and livelihood. Even further, there are health effects resulting from the disaster that are increasing in number, daily.

According to a recent CNN article, there have been 71 reported cases of oil disaster related health problems ranging anywhere from headaches and coughing to more serious ailments. Additionally, the oil has reached shorelines across the coast, and is affecting beaches and their patrons.

It is imperative not only that the victims and potential claimants be afforded a source of recourse for the significant interruption of their way of life, but that the remedy process be made available in a timely fashion, as the effects of the oil spill are being compounded every day.

The Oil Pollution Act of 1990, adopted in response to the *Exxon Valdez* Alaska oil spill in 1989, governs the claims process associated with the British Petroleum disaster. According to the Act, any party liable for any threat or actual discharge of oil from a vessel or facility to navigable waters, adjoining shorelines, or the exclusive economic zone of the United States, is responsible for all cleanup costs incurred. Additionally, claimants may recover damages for injury to natural resources, loss of personal property, economic losses, and loss of subsistence use of natural resources. However, the Act caps economic damages at $75 million from the party or parties responsible for an oil spill.

Seventy five million dollars is simply insufficient to compensate the victims of such a massive disaster. The law was passed in light of the *Exxon Valdez* oil spill. That spill was considered to be one of the largest environmental disasters in history, and involved the disgorgement of at least 10.8 million gallons of crude oil into Alaska waters.

I urge my colleagues to support this bill.

Mr. OBERSTAR. I yield myself the balance of my time.

Again, I'm greatly appreciative of the partnership in our committee with the gentleman from Florida and for working so expeditiously under minimal notice that both of us had to bring this unexpected but welcome legislation from the other body so quickly to the floor. I would hope that this and other measures that we will enact will be seen as a testimonial to the victims of that explosion on the Deepwater Horizon.

And as the gentleman from Florida said, I join him in commending the President for welcoming the families and consoling with them, and join in assurances to those families that Congress will continue to do everything right so that their lives will not have been lost in vain.

Madam Speaker, I ask unanimous consent to extend the debate time by 5 minutes on each side.

The SPEAKER pro tempore (Ms. JACKSON LEE of Texas). Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. OBERSTAR. The purpose for this request is that we may resolve a technical problem that the Senate notified us of in the drafting of the language of the bill and in the reference to the appropriate section of the Internal Revenue Code, and we need to spend just a few minutes and get the parliamentary language correct, and that will take a few more minutes to resolve.

I ask the gentleman from Florida to designate his staff to participate with ours and with the Parliamentarian in assuring that we have the language properly crafted.

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Mr. MICA. Will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Florida.

Mr. MICA. Well, maybe you could explain, for the benefit of this side of the aisle in the House, what the changes would be.

I did have several changes that I would have liked to have addressed. I believe this particular legislation just deals with this spill. I would have hoped that we could have modified this so that, in the future, we wouldn't have to come back on an individual-spill basis to do what we are doing here today.

And also, because this is a unique circumstance, we have not found ourselves in this situation before, we could make some additional changes to the measure that would, in fact, sort of, clean up the statute.

But, again, I am not sure what particular parliamentary or minor technical changes the majority is prepared to make in the legislation at this time. We do want to be agreeable and move the process forward. Maybe, now, with those questions, you might respond.

Mr. OBERSTAR. Certainly. And I thank the gentleman. And I share that concern.

In the hearing yesterday, I made it very clear that the committee would move forward with the broader changes that the gentleman just discussed, Madam Speaker, so that the Coast Guard will have authority to draw larger sums, in hundred-million-dollar increments, with proper notification to Congress, without having to come back and legislate each time.

But that is beyond the scope of the pending bill. And the technical changes notified to us are of a truly technical nature. Expanding into the broader question that we are now discussing would require new legislation.

And I commit to the gentleman that that will be part of our bipartisan work in committee, and we will craft the appropriate language.

Mr. MICA. I thank the gentleman.

Mr. OBERSTAR. I yield 2 minutes to the distinguished gentleman from Florida (Mr. BOYD).

Mr. BOYD. Madam Speaker, I thank my friend, the gentleman from Minnesota.

Madam Speaker, BP's failure to have a responsible plan in place to deal with the effects of this oil spill obviously has caused untold harm to our coastal communities and the men and women on our gulf coast, many of which I represent.

More needs to be done at every level to respond to this crisis. But one thing we will not tolerate is for there to be any disruption to the ongoing cleanup and containment efforts currently under way in the gulf, which is why I stand before you today in full support of S. 3473.

This bill ensures that the men and women fighting to contain this disaster have all the resources they need to continue their important work. Under this bill, the Federal Government will provide advance funding to sustain and support the cleanup and containment efforts currently under way.

But make no mistake: BP will be the ultimate financier. And they can count on receiving a bill once the total cost is in.

At the same time, while we are working to contain this crisis, we also must take steps to ensure this terrible situation does not become worse. Last week, Madam Speaker, I sent a letter to the President, urging his administration to develop a plan in case a tropical storm or hurricane hits the gulf coast, and it will.

The gulf region has weathered hurricanes in the past, but the presence of oil in our waters creates a number of unknown circumstances. And we need to be proactive in our efforts to protect our communities from a storm.

That is why next week I will convene the Joint Oil Spill-Hurricane Planning Conference to develop a comprehensive hurricane preparedness and recovery plan for north Florida. The conference will bring together local, State, and Federal officials and key stakeholders to develop a comprehensive and coordinated plan that identifies what actions need to be taken before, during, and after a possible storm.

We are clearly in uncharted waters, Madam Speaker, but that is no excuse for us failing to take action now against a threat that we know will strike sooner or later. We must begin planning now for this possibility.

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

Mr. OBERSTAR. I yield the gentleman an additional 20 seconds.

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

Mr. MICA. I yield the gentleman from Florida, my colleague from Florida, 30 seconds of my time.

Mr. BOYD. I thank my colleague, Mr. MICA, for yielding.

Madam Speaker, we must begin planning now for this possibility of a hurricane hitting the gulf coast and what effect the oil spill, what additional damage that will cause. We must ensure the current cleanup and containment efforts under way are able to continue unabated.

Madam Speaker, I urge support for S. 3473.

Mr. MICA. Madam Speaker, I guess as we conclude the extended time of debate on this measure to again revise some of the provisions of the emergency portion, $150 million emergency

fund within the $1.6 billion Oil Liability Trust Fund, I understand that there has been identified a minor technical glitch in the legislation as it came from the other body.

As a great American, former United States Senator Bob Dole, he used to say that his body, the U.S. Senate, is a great place if you like to see paint dry and grass grow, as far as the speed in which things are done.

However, here they have acted with due diligence and great speed and, in that speed, have made a minor technical error. And I am not going to tell anyone about it. And because this is a situation in which we must proceed on an emergency basis, I am going to overlook it, in fairness.

I would also like to yield to the gentleman, our honorable chairman of the T&I Committee, my partner, Mr. OBERSTAR.

Mr. OBERSTAR. Madam Speaker, I thank the distinguished gentleman for yielding.

We have agreed that the technical issue raised by representatives of the other body is of a nature that can be resolved by the administration upon passage of this bill. It is better for us to pass this bill now to address the substantive issue, release of funds from the Oil Spill Liability Trust Fund, and not delay progress in cleanup.

For that reason, we will pass the bill intact and let the administration deal with whatever issue comes up. Should any additional change be necessary of a technical nature, it can be dealt with at a later time.

I thank the gentleman for his understanding, for his patience, and for yielding me the time.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, June 7, 2010.

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

DEAR MADAM SPEAKER: I am writing to urge the Congress to move quickly in enacting the FY 2010 Supplemental request. On June 4, 2010, Secretary Napolitano announced that the Coast Guard believes that within the next two weeks funding levels in the Oil Spill Liability Trust Fund's expenditure account will drop to levels that will force the Federal On-Scene Coordinator to begin to cut back Federal Deepwater Horizon response activities. We cannot allow the lack of funding to hamstring our Federal response to this national catastrophe.

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The President has ordered Federal agencies to bring all available and appropriate resources to bear in response to this disaster. Without legislative authorization, however, the Coast Guard cannot access the additional emergency fund resources necessary to pay for the Federal agencies' response to this tragic oil spill.

We appreciate your support in moving this critical legislation forward in the coming days.

Sincerely,

PETER R. ORSZAG,
Director.

TIMELINE FOR APPROVALS OF DEEPWATER HORIZON LEASE

1986: MMS issues a list of categories of activities excluded from further review under NEPA within the Department of the Interior's ''Department Manual.''

May 27, 2004: The Bush Administration extends process by which MMS manages the NEPA process for offshore lease sales, including issuance of ''categorical exclusions.''

April 2007: MMS issues a Multistate environmental impact statement (EIS) for a proposed 5–year lease on the Outer Continental Shelf (OCS) that estimated a likelihood of 3 spills from platform drilling in deepwater that would produce approximately 1,500 barrels for each spill. As a result, the assessed impacts from oil spills under the 5–year lease were described as minimal. No extrapolation or hypothesis for what would happen if the spill were larger.

October 22, 2007: MMS issues its Environmental Assessment of the Proposed Gulf of Mexico OCS Oil and Gas Lease Sale 206, Central Planning Area. MMS estimated, based on historical data, that the probability of an offshore oil spill greater than 1,000 barrels reaching an environmentally sensitive resource was small. Accordingly, MMS finds that a supplemental EIS is not required and issues a FONNSI (Finding of No New Significant Impact)—over that assessed in the Multistate EIS for the 5-year lease on the OCS.

March 2008: BP purchased rights to drill for oil at MMS lease sale 206.

May 2008: MMS issues an exemption from a ''blowout scenario requirement'': for OCS actions in the Gulf (Notice to Lessee 2008). Accordingly, BP's exploration plan for the Deepwater Horizon site did not include an analysis or response plan for a blowout of the wellhead.

March 10, 2009: BP filed a 52–page exploration and environmental impact plan for the Macondo well, located in the Mississippi Canyon Block 252 of the Gulf, with MMS. This plan stated that it was ''unlikely that an accidental surface or subsurface oil spill would occur from the proposed activities.'' In the plan, the company further asserted that if there was a spill, ''due to the distance to shore (48 miles) and the response capabilities that would be implemented, no significant adverse impacts are expected.'' Pursuant to 43 U.S.C. §1340, MMS is required to approve the BP exploration plan within 30 days of submission.

April 6, 2009: MMS approves BP exploration plan, with a categorical exclusion from NEPA, because the falls within the 2004 list of potential ''categorical exclusions.'' Because of the categorical exclusion, the additional environmental impacts for a worst case scenario were not evaluated.

Mr. MICA. Reclaiming the time, also keep in mind the time that I yielded to the other side when they ran out of time, Madam Speaker.

The SPEAKER pro tempore. The gentleman has 2 minutes remaining.

Mr. MICA. But to conclude debate, again, I thank everyone for this bipartisan effort. Even though, again, we have a minor technical glitch, we want to move the legislation forward; so I urge my colleagues to pass the measure.

Mr. MCMAHON. I rise today in strong support of S. 3473. Since Day 1 of this disaster the Administration has brought all resources to bear to address ensure that damage to the environment, wildlife, and public health of the Gulf Region was as limited as possible.

In particular the United States Coast Guard has done outstanding work. As Vice Chair of the Coast Guard Subcommittee I know how hard the men and women of the Coast Guard have been working to contain this disaster. Led by Admiral Thad Allen, who has taken charge of federal on-the-ground response as National Incident Commander, the men and women of the Coast Guard are on the frontlines and deserve our gratitude and support.

This legislation is critical to maintaining continuity in the federal government's response. It amends current law to allow the administration to take multiple advances of up to $100 million from the Oil Spill Liability Trust Fund. Without passage of S. 3473, the Coast Guard could run out of funding for cleanup and prevention as early as next week. This cannot be allowed to happen. I urge all of my colleagues to support this straightforward, common-sense legislation. It is the least we can do at the moment to help ongoing efforts to help the people of the Gulf region.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, S. 3473.

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

The yeas and nays were ordered.

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

FHA REFORM ACT OF 2010

The SPEAKER pro tempore. Pursuant to House Resolution 1424 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for further consideration of the bill, H.R. 5072.

□ 1125

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 5072) to improve the financial safety and soundness of the FHA mortgage insurance program, with Mr. PASTOR of Arizona in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday June 9, 2010, all time for general debate had expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 5072

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 ''FHA Reform Act of 2010''.

SEC. 2. MORTGAGE INSURANCE PREMIUMS.

Subparagraph (B) of section 203(c)(2) of the National Housing Act (12 U.S.C. 1709(c)(2)(B)) is amended—

(1) in the matter preceding clause (i)—

(A) by striking ''shall'' and inserting ''may''; and

(B) by striking ''0.50 percent'' and inserting ''1.5 percent''; and

(2) in clause (ii), by striking ''shall be in an amount not exceeding 0.55 percent'' and inserting ''may be in an amount not exceeding 1.55 percent''.

SEC. 3. INDEMNIFICATION BY MORTGAGEES.

Section 202 of the National Housing Act (12 U.S.C. 1708) is amended by adding at the end the following new subsection:

''(i) INDEMNIFICATION BY MORTGAGEES.—

''(1) IN GENERAL.—If the Secretary determines that a mortgage executed by a mortgagee approved by the Secretary under the direct endorsement program or insured by a mortgagee pursuant to the delegation of authority under section 256 was not originated or underwritten in accordance with the requirements established by the Secretary, and the Secretary pays an insurance claim with respect to the mortgage within a reasonable period specified by the Secretary, the Secretary may require the mortgagee approved by the Secretary under the direct endorsement program or the mortgagee delegated authority under section 256 to indemnify the Secretary for the loss.

''(2) FRAUD OR MISREPRESENTATION.—If fraud or misrepresentation was involved in connection with the origination or underwriting, the Secretary may require the mortgagee approved by the Secretary under the direct endorsement program or the mortgagee delegated authority under section 256 to indemnify the Secretary for the loss regardless of when an insurance claim is paid.

''(3) REQUIREMENTS AND PROCEDURES.—The Secretary shall issue regulations establishing appropriate requirements and procedures governing the indemnification of the Secretary by the mortgagee.''.

SEC. 4. DELEGATION OF INSURING AUTHORITY.

Section 256 of the National Housing Act (12 U.S.C. 1715z–21) is amended—

(1) by striking subsection (c);

(2) in subsection (e), by striking '', including'' and all that follows through ''by the mortgagee''; and

(3) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

SEC. 5. AUTHORITY TO TERMINATE MORTGAGEE ORIGINATION AND UNDERWRITING APPROVAL.

Section 533 of the National Housing Act (12 U.S.C. 1735f–11) is amended—

(1) in the first sentence of subsection (b), by inserting ''or areas or on a nationwide basis'' after ''area'' each place such term appears; and

(2) in subsection (c), by striking ''(c)'' and all that follows through ''The Secretary'' in the first sentence of paragraph (2) and inserting the following:

''(c) TERMINATION OF MORTGAGEE ORIGINATION AND UNDERWRITING APPROVAL.—

''(1) TERMINATION AUTHORITY.—If the Secretary determines, under the comparison provided in subsection (b), that a mortgagee has a rate of early defaults and claims that is excessive, the Secretary may terminate the approval of the mortgagee to originate or underwrite single family mortgages for any area, or areas, or on a nationwide basis, notwithstanding section 202(c) of this Act.

''(2) PROCEDURE.—The Secretary''.

SEC. 6. DEPUTY ASSISTANT SECRETARY OF FHA FOR RISK MANAGEMENT AND REGULATORY AFFAIRS.

(a) ESTABLISHMENT OF POSITION.—Subsection (b) of section 4 of the Department of Housing and Urban Development Act (42 U.S.C. 3533(b)) is amended—

(1) by inserting ''(1)'' after ''(b)''; and

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

''(2) There shall be in the Department, within the Federal Housing Administration, a Deputy Assistant Secretary for Risk Management and Regulatory Affairs, who shall be appointed by the Secretary and shall be responsible to the Federal Housing Commissioner for all matters relating to managing and mitigating risk to the mortgage insurance funds of the Department and ensuring the performance of mortgages insured by the Department.''.

(b) TERMINATION.—Upon the appointment and confirmation of the initial Deputy Assistant Secretary for Risk Management and Regulatory Affairs pursuant to section 4(b)(2) of the Department of Housing and Urban Development Act, as amended by subsection (a) of this section, the position of chief risk officer within the Federal Housing Administration, filled by appointment by the Federal Housing Commissioner, is abolished.

SEC. 7. USE OF OUTSIDE CREDIT RISK ANALYSIS SOURCES.

Section 202 of the National Housing Act (12 U.S.C. 1708), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

''(j) USE OF OUTSIDE CREDIT RISK ANALYSIS SOURCES.—The Secretary may obtain the services of, and enter into contracts with, private and other entities outside of the Department in—

''(1) analyzing credit risk models and practices employed by the Department in connection with such mortgages;

''(2) evaluating underwriting standards applicable to such mortgages insured by the Department; and

''(3) analyzing the performance of lenders in complying with, and the Department in enforcing, such underwriting standards.''.

SEC. 8. REVIEW OF MORTGAGEE PERFORMANCE.

Section 533 of the National Housing Act (12 U.S.C. 1735f–11) is amended—

(1) in subsection (a), by inserting after the period at the end the following: ''For purposes of this subsection, the term 'early default' means a default that occurs within 24 months after a mortgage is originated or such alternative appropriate period as the Secretary shall establish.'';

(2) in subsection (b), by inserting after the period at the end of the first sentence the following: ''The Secretary shall also identify which mortgagees have had a significant or rapid increase, as determined by the Secretary, in the number or percentage of early defaults and claims on such mortgages, with respect to all mortgages originated by the mortgagee or mortgages on housing located in any particular geographic area or areas.''; and

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

''(d) SUFFICIENT RESOURCES.—There is authorized to be appropriated to the Secretary for each of fiscal years 2010 through 2014 the amount necessary to provide additional full-time equivalent positions for the Department, or for entering into such contracts as are necessary, to conduct reviews in accordance with the requirements of this section and to carry out other responsibilities relating to ensuring the safety and soundness of the Mutual Mortgage Insurance Fund.

''(e) REPORTING TO CONGRESS.—Not later than 90 days after the date of enactment of the FHA Reform Act of 2010 and not less often than annually thereafter, the Secretary shall make available to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate any information and conclusions pursuant to the reviews required under subsection (a). Such report shall not include detailed information on the performance of individual mortgages.''.

SEC. 9. USE OF NATIONWIDE MORTGAGE LICENSING SYSTEM AND REGISTRY.

(a) USE BY MORTGAGEES, OFFICERS, AND OWNERS; USE FOR INSURED MORTGAGES.—

(1) MORTGAGEES, OFFICERS, AND OWNERS.—Section 202 of the National Housing Act (12 U.S.C. 1708), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsections:

''(k) USE OF NATIONWIDE MORTGAGE LICENSING SYSTEM AND REGISTRY FOR MORTGAGEES, OFFICERS, AND OWNERS.—The Secretary may require, as a condition for approval of a mortgagee by the Secretary to originate or underwrite mortgages on single family that are insured by the Secretary, that the mortgagee—

''(1) obtain and maintain a unique company identifier assigned by the Nationwide Mortgage Licensing System and Registry, as established by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators; and

''(2) obtain and maintain, as relates to any and all officers or owners of the mortgagee who are subject to the requirements of the S.A.F.E. Mortgage Licensing Act of 2008, or are otherwise required to register with the Nationwide Mortgage Licensing System and Registry, the unique identifier assigned by the Nationwide Mortgage Licensing System and Registry, as established by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators.''.

(2) INSURED MORTGAGES.—Section 203 of the National Housing Act (12 U.S.C. 1709) is amended by adding at the end the following new subsection:

''(y) USE OF NATIONWIDE MORTGAGE LICENSING SYSTEM AND REGISTRY FOR INSURED LOANS.—The Secretary may require each mortgage insured under this section to include the unique identifier (as such term is defined in section 1503 of the S.A.F.E. Mortgage Licensing act of 2008 (12 U.S.C. 5102)) and any unique company identifier assigned by the Nationwide Mortgage Licensing System and Registry, as established by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators.''.

(b) COORDINATION WITH STATE REGULATORY AGENCIES.—Section 202 of the National Housing Act (12 U.S.C. 1708), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

''(l) INFORMATION SHARING WITH STATE REGULATORY AGENCIES.—

''(1) JOINT PROTOCOL ON INFORMATION SHARING.—The Secretary shall, through consultation with State regulatory agencies, pursue protocols for information sharing, including the appropriate treatment of confidential or otherwise restricted information, regarding either actions described in subsection (c)(3) of this section or disciplinary or enforcement actions by a State regulatory agency or agencies against a mortgagee (as such term is defined in subsection (c)(7)).

''(2) COORDINATION.—To the greatest extent possible, the Secretary and appropriate State

regulatory agencies shall coordinate disciplinary and enforcement actions involving mortgagees (as such term is defined in subsection (c)(7)).''.

SEC. 10. REPORTING OF MORTGAGEE ACTIONS TAKEN AGAINST OTHER MORTGAGEES.

Section 202 of the National Housing Act (12 U.S.C. 1708(e)), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

''(m) NOTIFICATION OF MORTGAGEE ACTIONS.—The Secretary shall require each mortgagee, as a condition for approval by the Secretary to originate or underwrite mortgages on single family or multifamily housing that are insured by the Secretary, if such mortgagee engages in the purchase of mortgages insured by the Secretary and originated by other mortgagees or in the purchase of the servicing rights to such mortgages, and such mortgagee at any time takes action to terminate or discontinue such purchases from another mortgagee based on any determination, evidence, or report of fraud or material misrepresentation in connection with the origination of such mortgages, the mortgagee shall, not later than 15 days after taking such action, shall notify the Secretary of the action taken and the reasons for such action.''.

SEC. 11. ANNUAL ACTUARIAL STUDY AND QUARTERLY REPORTS ON MUTUAL MORTGAGE INSURANCE FUND.

Subsection (a) of section 202 of the National Housing Act (12 U.S.C. 1708(a)) is amended—

(1) in the second sentence of paragraph (4), by inserting before the period at the end the following: '', any changes to the current or projected safety and soundness of the Fund since the most recent report under this paragraph or paragraph (5), and any risks to the Fund''; and

(2) in paragraph (5)—

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

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

(C) by adding at the end the following:

''(F) any other factors that are likely to have an impact on the financial status of the Fund or cause any material changes to the current or projected safety and soundness of the Fund since the most recent report under paragraph (4).

The Secretary may include in the report under this paragraph any recommendations not made in the most recent report under paragraph (4) that may be needed to ensure that the Fund remains financially sound.''.

SEC. 12. REVIEW OF DOWNPAYMENT REQUIREMENTS.

Section 205 of the National Housing Act (12 U.S.C. 1711) is amended by adding at the end the following new subsection:

''(g) REVIEW OF DOWNPAYMENT REQUIREMENTS.—If, at any time when the capital ratio (as such term is defined in subsection (f)) of the Mutual Mortgage Insurance Fund does not comply with the requirement under subsection (f)(1), the Secretary establishes a cash investment requirement, for all mortgages or mortgagors or with respect to any group of mortgages or mortgagors, that exceeds the minimum percentage or amount required under section 203(b)(9), thereafter upon the capital ratio first complying with the requirement under subsection (f)(1) the Secretary shall review such cash investment requirement and, if the Secretary determines that such percentage or amount may be reduced while maintaining such compliance, the Secretary shall subsequently reduce such requirement by such percentage or amount as the Secretary considers appropriate.''.

SEC. 13. DEFAULT AND ORIGINATION INFORMATION BY LOAN SERVICER AND ORIGINATING DIRECT ENDORSEMENT LENDER.

(a) COLLECTION OF INFORMATION.—Paragraph (2) of section 540(b) of the National Housing Act (12 U.S.C. 1712 U.S.C. 1735f–18(b)(2)) is amended by adding at the end the following new subparagraph:

''(C) For each entity that services insured mortgages, data on the performance of mortgages originated during each calendar quarter occurring during the applicable collection period, disaggregated by the direct endorsement mortgagee from whom such entity acquired such servicing.''.

(b) APPLICABILITY.—Information described in subparagraph (C) of section 540(b)(2) of the National Housing Act, as added by subsection (a) of this section, shall first be made available under such section 540 for the applicable collection period (as such term is defined in such section) relating to the first calendar quarter ending after the expiration of the 12-month period that begins on the date of the enactment of this Act.

SEC. 14. THIRD PARTY SERVICER OUTREACH.

(a) AUTHORITY.—The Secretary of Housing and Urban Development may, to the extent any amounts for fiscal year 2010 or 2011 are made available in advance in appropriation Acts for reimbursements under this section, provide reimbursement to servicers of covered mortgages (as such term is defined in subsection (e)) for costs of obtaining the services of independent third parties meeting the requirements under subsection (b) of this section to make in-person contact with mortgagors under covered mortgages whose payments under such mortgages are 60 or more days past due, solely for the purposes of providing information to such mortgagors regarding—

(1) available counseling by housing counseling agencies approved by the Secretary ; and

(2) available mortgage loan modification, refinance, and assistance programs.

(b) QUALIFIED INDEPENDENT THIRD PARTIES.—An independent third party meets the requirements of this subsection if the third party—

(1) is an entity, including a housing counseling agency approved by the Secretary, that meets standards, qualifications, and requirements (including regarding foreclosure prevention training, quality monitoring, safeguarding of non-public information) established by the Secretary for purposes of this section for in-person contact about available mortgage loan modification, refinance, and assistance programs; and

(2) does not charge any fees or require other payments, directly or indirectly, from any mortgagor for making in-person contact and providing information and documents under this section.

(c) TREATMENT OF PERSONAL, NON-PUBLIC, AND CONFIDENTIAL INFORMATION.—An independent third party whose services are obtained using amounts made available for use under this section and the mortgage servicer obtaining such services shall not use, disclose, or distribute any personal, non-public, or confidential information about a mortgagor obtained during an in-person contact with the mortgagor, except for purposes of engaging in the process of modification or refinance of the covered mortgage.

(d) DATE OF CONTACT AND DISCLOSURES.—Each independent third party whose services are obtained by a mortgage servicer using amounts made available for use under this section shall—

(1) initiate in-person contact with a mortgagor not later than 10 days after the date upon which payments under the covered mortgage of the mortgagor become 60 days past due; and

(2) upon making in-person contact with a mortgagor, provide the mortgagor with a written document that discloses—

(A) the name of, and contact information for, the independent third party and the mortgage servicer;

(B) that the independent third party has contracted with the mortgage servicer to provide the in-person contact at no charge to the mortgagor;

(C) that the independent third party is an agent of the mortgage servicer;

(D) that the in-person contact with the mortgagor consists of providing information about available counseling by a housing counseling agency approved by the Secretary and available mortgage loan modification, refinance, and assistance programs;

(E) that the independent third party and the mortgage servicer are prohibited from the use, disclosure, or distribution of personal, non-public, and confidential information about the mortgagor, obtained during the in-person contact, except for purposes of engaging in the process of modification or refinance of the covered mortgage;

(F) any other information that the Secretary determines should be disclosed.

(e) DEFINITION OF COVERED MORTGAGE.—For purposes of this section, the term ''covered mortgage'' means a mortgage on a 1- to 4-family residence insured under the provisions of subsection (b) or (k) of section 203, section 234(c), or 251 of the National Housing Act (12 U.S.C. 1709, 1715y, 1715z–16).

SEC. 15. GAO REPORTS ON FHA AND GINNIE MAE.

Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Congress the following reports:

(1) FHA REPORT.—A report on the single family mortgage insurance programs of the Secretary of Housing and Urban Development and the Mutual Mortgage Insurance Fund established under section 202(a) of the National Housing Act (12 U.S.C. 1708(a)) that—

(A) analyzes such Fund, the economic net worth, capital ratio, and unamortized insurance-in-force (as such terms are defined in section 205(f)(4) of such Act (12 U.S.C. 1711(f)(4))) of such Fund, the risks to the Fund, how the capital ratio of the Fund affects the mortgage insurance programs under the Fund and the broader housing market, the extent to which the housing markets are more dependent on mortgage insurance provided through the Fund since the financial crisis began in 2008, and the exposure of the taxpayers for obligations of the Fund;

(B) analyzes the methodology of the capital ratio for the Fund under section 205(f) of such Act and examines other alternative methodologies with respect to which methodology is most appropriate to meet the operational goals of the Fund under section 202(a)(7);

(C) analyzes the effects of the increases in the limits on the maximum principal obligation of mortgages made by the FHA Modernization Act of 2008 (title I of division B of Public Law 110–289), section 202 of the Economic Stimulus Act of 2008 (Public Law 110–185; 122 Stat. 620), section 1202 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 225), and section 166 of the Continuing Appropriations Resolution, 2010 (as added by section 104 of division B of Public Law 111–88; 123 Stat. 29723) on—

(i) the risks to and safety and soundness of the Fund;

(ii) the impact on the affordability and availability of mortgage credit for borrowers for loans authorized under such higher loan limits;

(iii) the private market for residential mortgage loans that are not insured by the Secretary of Housing and Urban Development; and

(iv) the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation; and

(D) analyzes the impact on affordability to FHA borrowers, and the impact to the Fund, of seller concessions or contributions to a borrower purchasing a residence using a mortgage that is insured by the Secretary.

(2) GINNIE MAE.—A report on the Government National Mortgage Association that identifies—

(A) the volume and share of the residential mortgage market that consists of mortgages that

back securities for which the payment for principal and interest is guaranteed by such Association and how the Association has been affected by the economic recession, credit crisis, and downturn in the housing markets occurring during 2008, 2009, and 2010;

(B) the capacity of the Association to manage the volume of business it conducts and securities it guarantees, particularly with regard to the recent dramatic increase in such volume, including the ability of the Association to conduct appropriate oversight of contractors and issuers of securities for which the payment of principal and interest is guaranteed by the Association and to determine whether the characteristics of various mortgage products constitute appropriate collateral for the federally guaranteed securities for which payment of principal and interest is guaranteed by such Association;

(C) the impacts, if any, resulting from such increased volume of business conducted by the Association and securities it guarantees and the challenges such increased volume poses to the internal controls of the Association; and

(D) the existing capital net worth requirements for aggregators of mortgages that issue securities that are based on or backed by such mortgages and payment of principal and interest on which is guaranteed by such Association and recommends an appropriate required level of net worth for such aggregators and issuers to protect the financial interests of the Federal Government and the taxpayers.

The Acting CHAIR. No amendment to the committee amendment is in order except those printed in House Report 111–503. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. WATERS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 111–503.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Ms. WATERS:

Page 9, line 19, after ''single family'' insert ''residences''.

Page 18, line 24, strike ''12-month'' and insert ''18-month''.

Page 14, after line 16, insert the following new section:

SEC. 13. AUTHORIZATION TO PARTICIPATE IN THE ORIGINATION OF FHA-INSURED LOANS.

(a) SINGLE FAMILY MORTGAGES.—Section 203(b) of the National Housing Act (12 U.S.C. 1709(b)) is amended by striking paragraph (1) and inserting the following new paragraph:

''(1) Have been made to a mortgagee approved by the Secretary or to a person or entity authorized by the Secretary under section 202(d)(1) to participate in the origination of the mortgage, and be held by a mortgagee approved by the Secretary as responsible and able to service the mortgage properly.''.

(b) HOME EQUITY CONVERSION MORTGAGES.—Section 255(d) of the National Housing Act (12 U.S.C. 1715z–20(d)) is amended by striking paragraph (1) and inserting the following new paragraph:

''(1) have been originated by a mortgagee approved by, or by a person or entity authorized under section 202(d)(1) to participate in the origination by, the Secretary;''.

Page 14, line 17, strike ''**13**'' and insert ''**14**''.

Page 15, line 14, strike ''**14**'' and insert ''**15**''.

Strike line 23 on page 18 and all that follows through page 22, line 20, and insert the following:

SEC. 16. GAO REPORT ON FHA.

Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Congress a report on the single family mortgage insurance programs of the Secretary of Housing and Urban Development and the Mutual Mortgage Insurance Fund established under section 202(a) of the National Housing Act (12 U.S.C. 1708(a)) that—

(1) analyzes such Fund, the economic net worth, capital ratio, and unamortized insurance-in-force (as such terms are defined in section 205(f)(4) of such Act (12 U.S.C. 1711(f)(4))) of such Fund, the risks to the Fund, how the capital ratio of the Fund affects the mortgage insurance programs under the Fund and the broader housing market, the extent to which the housing markets are more dependent on mortgage insurance provided through the Fund since the financial crisis began in 2008, and the exposure of the taxpayers for obligations of the Fund;

(2) analyzes the methodology for determining the Fund's capital ratio under section 205(f) of such Act and examines alternative methods for assessing the Fund's financial condition and their potential impacts on the Fund's ability to meet the operational goals under section 202(a)(7) of such Act;

(3) analyzes the potential effects of the increases in the limits on the maximum principal obligation of mortgages made by the FHA Modernization Act of 2008 (title I of division B of Public Law 110–289), section 202 of the Economic Stimulus Act of 2008 (Public Law 110–185; 122 Stat. 620), section 1202 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 225), and section 166 of the Continuing Appropriations Resolution, 2010 (as added by section 104 of division B of Public Law 111–88; 123 Stat. 29723) on—

(A) the risks to and safety and soundness of the Fund;

(B) the impact on the affordability and availability of mortgage credit for borrowers for loans authorized under such higher loan limits;

(C) the private market for residential mortgage loans that are not insured by the Secretary of Housing and Urban Development; and

(D) the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation; and

(4) analyzes the impact on affordability to FHA borrowers, and the impact to the Fund, of seller concessions or contributions to a borrower purchasing a residence using a mortgage that is insured by the Secretary.

At the end of the bill, add the following new sections:

SEC. 17. INCREASED LOAN LIMITS FOR DESIGNATED COUNTIES.

(a) AUTHORITY.—Notwithstanding any other provision of law, the Secretary of Housing and Urban Development (in this section referred to as the ''Secretary'') may increase the dollar amount limitations on the principal obligation of mortgages otherwise determined under section 203(b)(2) of the National Housing Act for any county that is designated under this section.

(b) PROCEDURE.—

(1) FEDERAL REGISTER NOTICE.—Any designation of a county under this section shall be made only pursuant to application by the county for such designation, in accordance with procedures that the Secretary may establish. The Secretary may establish such procedures only by publication in the Federal Register not later than 60 days after the date of the enactment of this Act.

(2) FINAL DETERMINATION.—If the Secretary establishes procedures for applications under paragraph (1) and receives a completed application for designation under this section of a county in accordance with such procedures, the Secretary shall issue a final determination regarding such application for designation, based on the criteria under subsection (c), not later than 60 days after such receipt.

(c) DETERMINATION CRITERIA.—The Secretary may designate an applicant county under this section only if the county is located within a micropolitan area (as such term is defined by the Director of the Office of Management and Budget) and meets the following criteria:

(1) More than 70 percent of the border of the applicant county abuts two or more metropolitan statistical areas (as such term is defined by the Director of the Office of Management and Budget) for which each dollar amount limitation on the principal obligation of a mortgage that may be insured under section 203 of the National Housing Act, in effect at the time of such determination, is at least 40 percent greater than the dollar amount limitation for the same size residence for the applicant county. For purposes of such calculation, the dollar amount limitations of such abutting counties shall not include any increase attributable to the authority under this section.

(2) The applicant county has experienced significant population growth, as evidenced by an increase of 15 percent or more during the 10 years preceding the application, according to statistics of the United States Census Bureau or such other appropriate criteria as the Secretary shall establish.

(3) The dollar amount limitation on the principal obligation of a mortgage on housing in the applicant county that may be insured under section 203 of the National Housing Act, in effect at the time of such application, is the minimum such dollar amount limitation allowable under the matter that follows clause (ii) in section 203(b)(2)(A) of the National Housing Act.

(d) ESTABLISHMENT OF LOAN LIMITS.—For a county designated under this section, the Secretary may increase the maximum dollar amount limitations on the principal obligation of mortgages otherwise determined under section 203(b)(2) of the National Housing Act to such levels as are appropriate, taking into consideration the criteria established for such designation, but not to exceed the dollar amount limitations for the abutting metropolitan statistical area meeting the requirements of subsection (c)(1) that has the lowest such dollar amount limitations.

(e) EFFECTIVE DATE AND TERM OF DESIGNATION OF NEW COUNTYWIDE LOAN LIMITS.—A designation of a county under this section, and the maximum dollar amount limitations for such county pursuant to subsection (d), shall—

(1) take effect upon the expiration of the 60-day period that begins upon the final determination for the county referred to in subsection (b)(2); and

(2) remain in effect until the end of the calendar year in which such designation takes effect.

(f) LOAN LIMITS FOR SUCCEEDING YEARS.—With respect to each calendar year immediately following the calendar year in which

a county is designated under this subsection, the Secretary may, notwithstanding any other provision of law, continue or adjust the dollar amount limitations in effect pursuant to this section for such designated county for such preceding year, as appropriate, consistent with the criteria under this section.

SEC. 18. IDENTIFICATION REQUIREMENTS FOR BORROWERS.

Section 203 of the National Housing Act (12 U.S.C. 1709), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

''(z) IDENTIFICATION REQUIREMENTS FOR BORROWERS.—No mortgage on a 1- to 4-family dwelling may be insured under this title unless the mortgagor under such mortgage—

''(1) provides a valid Social Security Number; and

''(2) is (A) a United States citizen, (B) a lawful permanent resident alien, or (C) a non-permanent resident alien who legally resides in and is authorized to work in the United States.

The Secretary shall establish policies under which mortgagees verify compliance with the requirements under this subsection.''.

The Acting CHAIR. Pursuant to House Resolution 1424, the gentlewoman from California (Ms. WATERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

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

Mr. Chairman, the manager's amendment would make technical corrections to the underlying FHA Reform Act of 2010 and would respond to a GAO request for more time to complete the mandated study on FHA.

This amendment would also facilitate HUD's implementation of a recently finalized rule whereby FHA will no longer directly approve loan correspondents or mortgage brokers but will require lenders to approve brokers.

Under the language proposed in this amendment, loan correspondents would be permitted to continue closing loans in their own name, a critical business function, and continue to utilize table funding arrangements.

This amendment also addresses eligibility for FHA loans by requiring FHA borrowers to have a valid Social Security number and limiting FHA loans to only U.S. citizens and legal immigrants. This language ensures that undocumented immigrants or other individuals who are in the country unlawfully cannot get FHA mortgages, while still providing that lawful immigrants can continue to stimulate demand in the U.S. housing market through the purchase of homes.

Finally, this amendment provides that the Secretary may increase loan limits for micropolitan counties surrounded by higher-cost areas that are experiencing significant growth.

Again, this amendment strengthens an already strong bill, and I urge my colleagues to support it.

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

□ 1130

Mrs. CAPITO. Mr. Chairman, I claim the time in opposition, but I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentlewoman from West Virginia is recognized for 5 minutes.

There was no objection.

Mrs. CAPITO. I would like to thank the chairwoman of the Housing Subcommittee for her good work on this bill and for this manager's amendment. We have worked together on this amendment, as we have with the rest of the bill.

As she summarized in her statement, this provides provisions that drops out a few provisions that were problematic, but it also increases the requirements for identification, for a valid Social Security number and to be a U.S. citizen to be able to have access to FHA programs. I think it goes to the core of a lot of discussion that we've had on this floor, and certainly we want to make certain that those who are eligible for programs are able to access them and those that are ineligible are unable to access them.

So as I said, we've worked together on this amendment, and I plan to support the manager's amendment.

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

Ms. WATERS. Mr. Chairman, I have no further requests for time on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. WATERS).

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

Ms. WATERS. Mr. Chair, I demand a recorded vote.

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

AMENDMENT NO. 2 OFFERED BY MR. CARDOZA

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 111–503.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. CARDOZA:

Page 15, line 20, strike ''(e)'' and insert ''(f)''.

Page 18, after line 16, insert the following new subsection:

(e) PRIORITY.—In providing reimbursements under this section, the Secretary of Housing and Urban Development shall provide priority to independent third parties serving mortgagors under covered mortgages in areas experiencing a mortgage foreclosure rate and unemployment rate higher than the national average for the most recent 12-month period for which satisfactory data are available.

Page 18, line 17, strike ''(e)'' and insert ''(f)''.

The Acting CHAIR. Pursuant to House Resolution 1424, the gentleman from California (Mr. CARDOZA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

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

In recent weeks we have seen a small but slow and steady improvement in the national housing market while other parts of the country, like my congressional district in the San Joaquin Valley, have continued to deteriorate. I have repeatedly explained to the administration that their programs are not doing enough to stem the problems of the rising tide of foreclosures in areas like the Central Valley in California.

As this economic devastation continues, we must redouble our efforts to help our constituents as we work to improve the fundamentals of the economy and hopefully eventually pull ourselves out of this situation. We must ensure that we are doing everything that we can to help those who are suffering the most.

Counseling services are just one component of this comprehensive approach that we need to deal with this ongoing crisis. People must know their options when faced with foreclosure so that they can make informed decisions based on their own personal circumstances. Navigating these options is often difficult, stressful, and confusing to those who have never had to deal with such issues. Counseling can help some people find ways to stay in their homes while it offers others a path to resolve an impending foreclosure and get back on their feet.

If we are going to incentivize mortgage servicers to provide third-party counselors to borrowers who are behind on their mortgage payments, then we ought to make sure we give priority to those areas who are hurting the most. My amendment would prioritize foreclosure counseling services to areas of the country that have been the hardest hit by the housing crisis.

I urge my colleagues on both sides of the aisle to support this amendment and to refocus our efforts on those who need the help the most.

I reserve the balance of my time.

Mrs. CAPITO. I would like to claim the time in opposition, although I am unopposed to the amendment.

The Acting CHAIR. Without objection, the gentlewoman from West Virginia is recognized for 5 minutes.

There was no objection.

Mrs. CAPITO. I rise in support of the amendment offered by the gentleman from California.

As my colleague from California knows all too well, rising foreclosure and delinquency rates continue to affect all areas of the mortgage market. Secondary markets for mortgages have seen a significant drawback that has led to a reduction in the availability of credit. Lenders have tightened credit

standards making it more difficult for delinquent borrowers to refinance.

At the same time, because of falling home prices and certainly in many parts of the country, like the gentleman's home district, borrowers are finding themselves unable to refinance into more affordable or fixed-rate products because their outstanding mortgage loan balances exceed their homes' values.

States such as California, Florida, Arizona, and Nevada continue to dominate the national delinquency and foreclosure markets. The Cardoza amendment prioritizes assistance to the areas that have been hardest hit by foreclosure and unemployment compared to the rest of the country.

I am prepared to support the gentleman's amendment, and I would like to say that one area of the gentleman's amendment that I particularly am in favor of—because we kind of go through this discussion on a lot of different bills, where to put the greater emphasis, and I think the greater emphasis and the greater dollar assistance need to go to the places that are the hardest hit and do have the most difficult problems. And so I think this is well-intentioned, and I would support the amendment.

I reserve the balance of my time.

Mr. CARDOZA. Mr. Chairman, I thank the gentlelady for her comments and her support of my amendment. It is very important that we do move in this direction.

At this time, I yield 1 minute to the chairwoman of the subcommittee, a true champion for those who are trying to remain in their homes, and she's done so much to try to help us alleviate the challenges that we face in my district and throughout our State, the gentlewoman from California (Ms. WATERS).

Ms. WATERS. I would like to thank my colleague from California. I certainly support this amendment.

The gentleman from California has been one of the most active Members of this Congress in bringing attention to the economic fallout of the foreclosure crisis. I am well aware that his district located in my home State of California has one of the highest foreclosure rates in the country. California has the Nation's fourth highest foreclosure rate with one in every 192 housing units receiving a foreclosure filing last April.

Unfortunately, due to the economic impacts of foreclosures on communities, high foreclosure rates are sometimes accompanied by high unemployment rates. At 13 percent, California's unemployment rate is higher than the national unemployment rate of 9.5 percent. By prioritizing foreclosure counseling services to the hardest hit areas, this amendment would ensure that the homeowners most in need of these services would receive them, helping to stabilize communities that are already facing economic troubles.

I support this amendment, and I certainly thank the gentleman for offering it. I hope my colleagues will vote ''yes.''

Mrs. CAPITO. Again, I voice my support for the amendment, and I yield back the balance of my time.

Mr. CARDOZA. This amendment is straightforward and common sense. I believe that Congress must ensure that all efforts to provide assistance during these difficult times actually help those that need it the most.

I urge adoption of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. CARDOZA).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. CAO

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 111–503.

Mr. CAO. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. CAO:

Page 16, line 4, strike ''and''.

Page 16, line 6, strike the period and insert ''; and''.

Page 16, after line 6, insert the following:

(3) available counseling regarding financial management and credit risk.

The Acting CHAIR. Pursuant to House Resolution 1424, the gentleman from Louisiana (Mr. CAO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. CAO. Mr. Chairman, I rise today in support of my amendment to H.R. 5072, the FHA Reform Act of 2010. The bill we are considering today is a much-needed piece of legislation to help bolster the Federal Housing Administration and help prevent another housing crisis.

As someone from a district that is both in recovery and one with incredible housing needs, I especially appreciate this bill. I congratulate Chairman FRANK and Ranking Member BACHUS for bringing this important legislation to the floor.

I think the portion of the bill which provides information about loan modification and housing counseling to a mortgager at risk of early default is important. The amendment that I propose slightly expands this requirement by including language that includes credit risk and financial management counseling information.

I know that many times, especially in the current economic downturn, people headed for foreclosure have many other debt issues. Low- and middle-income families, those most likely to have FHA loans, often don't know that there is counseling available to help them understand the credit risk associated with foreclosure and loan modification. Many do not have the skills to manage this risk. They don't know that there is often free or low-cost financial management information available to them for help. That is why I have drafted the additional language to help these families get information about the full range of services available to them. This is good policy from which any constituent in my district can benefit.

This is about giving people the information they need to be successful. As policymakers, we should not only aim to preserve homeownership but to encourage responsible homeownership. By empowering people, we are taking a proactive stance towards aborting another financial crisis.

I reserve the balance of my time.

Ms. WATERS. I rise to claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentlewoman from California is recognized for 5 minutes.

There was no objection.

Ms. WATERS. I thank the gentleman for this amendment which would ensure that FHA borrowers who are having difficulty paying their loans would receive counseling about credit risk and financial management in addition to information about loan modification assistance and the availability of housing counseling.

Financial literacy is an important tool for empowering consumers, especially those consumers who are having difficulty making mortgage payments. The gentleman's amendment would enhance the housing counseling resources provided by the bill. By allowing borrowers to learn about how to manage their non-mortgage debt, they could be helpful in ensuring that they are able to remain current in their mortgages after modification.

I support this amendment, and I urge an ''aye'' vote.

I yield back the balance of my time.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. CAO).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MS. BEAN

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 111–503.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Ms. BEAN:

At the end of the bill, add the following new section:

SEC. 16. AUTHORITY TO ESTABLISH HIGHER MINIMUM CASH INVESTMENT REQUIREMENT.

(a) AUTHORITY.—Paragraph (9) of section 203(b) of the National Housing Act (12 U.S.C. 1709(b)(9)) is amended by adding at the end the following new subparagraph:

''(D) AUTHORITY TO ESTABLISH HIGHER MINIMUM REQUIREMENT.—The Secretary may establish a higher minimum cash investment requirement than the minimum requirement under subsection (a), for all mortgagors or a

certain class or classes of mortgagors, which may be based on criteria related to borrowers' credit scores or other industry standards related to borrowers' financial soundness. In establishing such a higher minimum cash investment requirement, the Secretary shall take into consideration the findings of the most recent annual report to the Congress on minimum cash investments pursuant to section 16(b) of the FHA Reform Act of 2010.''.

(b) REPORT.—Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act and annually thereafter, the Secretary of Housing and Urban Development shall submit to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report detailing the implementation of the minimum cash investment requirements under section 203(b)(9) of the National Housing Act (12 U.S.C. 1709(b)(9)) and discussing and analyzing options for proposed changes to such requirements, including changes that would take into account borrowers' credit scores or other industry standards related to borrowers' financial soundness. Such report shall—

(1) analyze the impacts that any actual or proposed such changes are projected to have on—

(A) the financial soundness of the Mutual Mortgage Insurance Fund;

(B) the housing finance market of the United States; and

(C) the number of borrowers served by the Federal Housing Administration;

(2) explain the reasons for any actual or proposed such changes in the such requirements made since the last report under this subsection;

(3) evaluate the impact of any actual or proposed such changes in such requirements on the Mutual Mortgage Insurance Fund;

(4) evaluate the impacts of any actual or proposed such changes on potential mortgagors under mortgages on one- to four-family dwellings insured by the Secretary under the National Housing Act; and

(5) evaluate the impact of any actual or proposed such changes on the soundness of the housing market in the United States.

The Acting CHAIR. Pursuant to House Resolution 1424, the gentlewoman from Illinois (Ms. BEAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois.

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

Mr. Chairman, the amendment I am here to talk to my colleagues about today protects taxpayers and increases government accountability while preserving a critical program that has helped 37 million Americans become homeowners since 1934.

My amendment requires HUD and the FHA to conduct annual comprehensive assessments and considerations for increased minimum down payment requirements in the FHA mortgage guarantee program and grants the FHA greater authority to do so.

Currently, the minimum cash investment requirement, commonly referred to as the ''down payment requirement,'' is set at 3.5 percent. HUD has used its existing authority to propose a 10 percent down payment requirement for borrowers with credit scores below 580, and I applaud FHA Commissioner Stevens and HUD for this important step to protect taxpayer dollars.

However, it's important for HUD to be given clear direction on evaluating future down payment increases as data suggests that the foreclosure crisis is not yet over.

According to core logic, approximately one in four borrowers are underwater in their mortgages, which means they owe more than their house is currently worth. As borrowers become increasingly underwater, they lose incentive to continue to pay their mortgage, which can lead to delinquency and further foreclosures.

While it is difficult for individual homeowners to guard against large swings in the housing market, one important tool for preventing negative equity is to require a meaningful down payment. To make sure HUD is setting down payment requirements for the FHA program that will sufficiently protect the Federal Government from excessive defaults, my amendment requires HUD to submit an annual report to Congress regarding proposed or actual increases. The report would require HUD to analyze the impacts that they would have on the financial soundness of the Mutual Mortgage Insurance Fund—which is the reserve fund referenced frequently in today's debate—also the effect on the housing finance market of the United States and the number of borrowers served by the FHA program.

□ 1145

The amendment requires HUD to consider the findings of these annual reports in determining whether higher down payment requirements are warranted. In addition, it grants authority to HUD to establish requirements for all borrowers or a class or classes of borrowers, and it directs HUD to consider a borrower's credit score when making these decisions.

Combined, this amendment will mandate HUD to evaluate resetting down payment requirements every year, and it will ensure the Federal Government is effectively protected from unnecessary risk. This amendment allows Congress to protect taxpayers without being overly prescriptive or handcuffing the FHA with specific terms. Instead, it provides the FHA the authority to make fact-based decisions based on the level of defaults and market conditions.

We learned from the current mortgage crisis that the FHA needs the data and the flexibility to address changes in today's more dynamic and diverse mortgage market and to protect taxpayers. We also recognize the importance of preserving access to affordable mortgages for millions of American families. FHA has helped Americans attain home ownership and has provided crucial mortgage insurance at times when the private market has pulled back from the mortgage market.

This legislation well-complements the consumer and taxpayer protections in the Wall Street reforms Congress is moving towards final passage.

I urge my colleagues to support the Bean amendment and the underlying bill.

I reserve the balance of my time.

Mrs. CAPITO. I rise to claim time in opposition, although I'm not opposed to the amendment.

The Acting CHAIR. Without objection, the gentlewoman from West Virginia is recognized for 5 minutes.

There was no objection.

Mrs. CAPITO. As the gentlewoman from Illinois stated, this gives HUD the authority to increase FHA down payments and would require an annual report. I'd like to ask the gentlelady, if I could, a question about her amendment, if she would be willing to help me out with some clarification.

You mentioned in your statement that HUD had already raised the down payment requirements with those of credit scores of 580 and below up to 10 percent. So my question is, it seems apparent to me that HUD already has the authority that you are granting in this amendment. HUD can already now go in and raise down payments. I would like to know what the distinction is or what the difference of the authority is that you're granting in your amendment from the authority that HUD already has.

I yield to the gentlewoman from Illinois.

Ms. BEAN. Well, first of all, it's mandating it. They have to evaluate the facts every year and then propose to Congress why they are or aren't making changes. So that's different than what they've been required to do in the past.

Mrs. CAPITO. But still, the authority they have to raise down payment requirements is already existing in current law.

Ms. BEAN. They do have the authority to make changes.

Mrs. CAPITO. Basically, the change is more in the annual report and the requirement that HUD has to look at those reports and make a statement to the committee and to Congress?

Ms. BEAN. That's correct.

Mrs. CAPITO. I thank the gentlelady for clarification, and as I said previously, I am prepared to support this amendment.

I don't believe I have any further requests for time; so I yield back the balance of my time.

Ms. BEAN. I yield such time as she may consume to Congresswoman WATERS.

Ms. WATERS. Mr. Chairman, this amendment reiterates the existing authority of the Secretary of Housing and Urban Development to raise down payment standards if he deems it necessary to ensure the financial health of FHA, and that is exactly what Secretary Donovan, with the help of Commissioner Stevens is doing because data indicates it is the best thing to do for the current economic environment. In addition, the Secretary has the authority to reduce this down payment

should economic conditions change and data indicates that it can be done while preserving the health of the capital reserves.

This amendment also calls for the Secretary to provide an annual report on the implementation of the minimum down payment requirement, the impact on FHA's capital reserves, the housing market generally, all the number of FHA borrowers, and the impact of any proposed changes on borrowers on the fund.

I believe this is a sensible amendment that increases transparency and accountability and should receive strong, bipartisan support, and I thank Congresswoman BEAN for all of the work that she's done on this committee and for this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Illinois (Ms. BEAN).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. GARRETT OF NEW JERSEY

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 111–503.

Mr. GARRETT of New Jersey. Mr. Chairman, I have an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. GARRETT of New Jersey:

Page 3, after line 16, insert the following new section:

SEC. 3. DOWNPAYMENT REQUIREMENT OF 5 PERCENT AND PROHIBITION OF FINANCING OF CLOSING COSTS.

Section 203 of the National Housing Act (12 U.S.C. 1709) is amended—

(1) in subsection (b)(9)(A), by striking ''3.5 percent'' and inserting ''5.0 percent''; and

(2) in subsections (b)(2) and (k)(3)(A), by striking ''(including such initial service charges, appraisal, inspection, and other fees as the Secretary shall approve)'' each place such term appears and inserting ''(which may not include any initial service charges, appraisal, inspection, or other fees or closing costs as the Secretary shall prohibit)''.

The Acting CHAIR. Pursuant to House Resolution 1424, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT of New Jersey. I yield myself 3 minutes.

I want to begin by restating the obvious, and that is, the FHA right now is in serious financial trouble. Their book of business during 2005 and 2006 and 2007 was really pretty small back then, and in 2008, FHA's lending took off to really high levels and currently is around 30 percent of the market. Typically, the default from mortgages occurs not in the first couple of years but in three, four, five, six, and seven years.

So we've already seen a sharp increase in delinquency and defaults with the FHA book, and we've not even gotten into the typically bad areas, the problem years for 2008 and 2009 so we're probably going to see those numbers go off the track.

Some of my colleagues on the other side of the aisle may say that there isn't going to be a problem because underwriting standards have tightened up some and the average FICO score has gone up. If you think about it, that really misses the point. In the mortgage business, you make pennies and you lose dollars. Because of the tremendous increase in volume, the FHA has insured thousands of more loans from higher credit borrowers but they insured thousands of more loans from more credit risky borrowers, too. Those numbers just aren't going to balance out. So, when the FHA has to pay a claim on default, it costs significantly more than the proceeds, than the few extra pennies they get by issuing more loans. For example, the premiums from 10 additional good loans would not cover the losses from 10 additional riskier loans in default. In fact, I doubt it would cover even one.

This point also debunks the claim that if you raise the down payment you will hurt the FHA because the accompanying reduction in volume will not allow them to collect as many fees. Why is that? The more loans you insure, the more defaults you will experience and you will not be able to recoup the losses with those additional premiums.

A second point. Another argument they will make is that the FHA's LTV ratio, the loan-to-value ratio, above 95 percent are a lower percentage of the books today than they were just a few years ago, but this fails to acknowledge that it's because their book has grown so much over the last few years. So I would argue this, that of the total numbers, there are significantly more loans over there that are above 95 percent LTV and over 96.5 which is a critical number simply because of their ability to finance the up-front premiums now. And with more loans with higher LTVs means what? More riskier loans.

FHA's own actuarial report says this: ''Based on previous econometric studies of mortgage behavior, a borrower's equity position in the mortgaged house is one of the most important drivers of default behavior. The larger the equity position a borrower has, the greater the incentive to avoid default on the loan.''

So that's why I've come up with this amendment. It's not a 20 percent down payment or 15 percent or even a 10 percent, which many private lenders right now require, but we go for the reasonable one, the compromise, 5 percent down payment. I support home owners as much as the next guy, and I want everybody to be able to afford their own home if they could. But we have to learn something from our past history, and we have to be responsible here in this House.

I find the debate over the problems with the FHA eerily similar to the debates we've had leading up to Fannie Mae and Freddie Mac. As taxpayers now are pumping hundreds of billions of dollars into Fannie and Freddie now, history has shown that we were on the right side of the debate then with Fannie and Freddie then, and I want to make sure that when this FHA bill goes through this House now, and at the conclusion of this debate as well, I want to make sure that myself and all of my colleagues are on the right side of this debate as well.

So I urge my colleagues to be all on the right side of this, this debate in history and to support my amendment.

I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. FRANK of Massachusetts. I yield myself 3 minutes.

Mr. Chairman, there were several aspects of the debate over housing during the period that led up to the crisis. Part of it was over Fannie Mae and Freddie Mac, but an even bigger part—because it involved Fannie Mae and Freddie Mac—was over sub-prime loans being made largely, although not entirely, on the unregulated banking system, and there were those who defended that. There were those who opposed efforts to rein it in.

In fact, with regard to Fannie Mae and Freddie Mac, I changed my own position with regard to them when in 2004 the administration, without congressional input, ordered Fannie Mae and Freddie Mac to buy more loans from people below the median income. We tried, many of us, during the period of 2004, 2005, and 2006 to get legislation adopted to ban sub-prime loans being granted imprudently. We had, the Congress, given the Federal Reserve the authority to do that in 1994, but Mr. Greenspan refused to do that. He since has apologized for that error.

So the question was not whether or not there was a general lack of discipline but whether there was a particular lack of discipline in containing sub-prime mortgages. The relevance of that is that the FHA doesn't do that. In fact, at a time of general ideological opposition of regulation of the mortgage market outside the banking system, there was very little regulation of sub-prime mortgages being granted to people who couldn't afford them, who made no down payment, who didn't have to document their income. Because of all that, we ran into these problems, and the FHA's percentage went down. That's a major reason why the FHA went down. The FHA has never been guilty of that laxity of practice.

So, part of the reason for the increase in the FHA share is that we have been able finally to cut back on the sub-prime mortgages being granted imprudently, and the FHA has much stricter standards. Yet, I want to stress—and this is a major cause of the Fannie and Freddie problem is that they were pushed into buying sub-

prime mortgages that never should have been given in the first place. That's not the FHA.

It's also the case that the FHA has stepped up in recent years, probably at congressional urging. The down payment has gone up. The up-front fee has gone up. The FHA has power now to go up to a 10 percent and has done this, a 10 percent down payment for people with a weak credit score. That's already part of the FHA's proposal.

The gentlewoman from Illinois' amendment just adopted makes it clear they can do even more, but to go beyond that, to the degree the gentleman from New Jersey wants to do, would undercut the ability of people who are capable of paying their mortgages from getting mortgage loans. That's why we have an unusual coalition opposing this amendment. It actually included a majority of the Republicans on the Committee on Financial Services who voted against this amendment, but it includes people on all sides of the housing market.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FRANK of Massachusetts. I yield myself an additional 30 seconds.

We have the Consumer Federation, the Center for Responsible Lending, the people who have distinguished themselves by being opposed to subprime lending when others in this Chamber didn't want any restriction, and the Realtors and the home builders, those who are in the business of providing housing, those who are advocates for consumers come together to say this goes too far and would go beyond what is needed for responsible lending.

I reserve the balance of my time.

Mr. GARRETT of New Jersey. I yield 1 minute to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

I rise in support of the amendment.

We can learn from history but we really can't revise it as much as we want to try. We're hearing the same arguments now that we heard about Fannie and Freddie, that there's no trouble, they're solvent, everything's fine. We're hearing the same thing with FHA now, but I can tell you, when FHA insured simply, what was it one in fifty homes, now it's one in four, or guarantees the loan on that amount, we're going to face trouble here unless we make additional changes to the ones that are being proposed to this bill. This is a prudent amendment.

It would raise from 3.5 to 5 percent the minimum down payment. It gives more individuals more skin in the game for their home and fewer individuals will walk away. They will try to work it out and try to make their mortgages go on.

□ 1200

We cannot afford to ignore history, and if we reject this amendment, we are ignoring history.

Mr. FRANK of Massachusetts. Mr. Speaker, I have the right to close.

I reserve the balance of my time.

Mr. GARRETT of New Jersey. Mr. Speaker, to close, I take, to begin with, the words of the gentlewoman from Illinois who really makes my case in her amendment which, really, unfortunately, does not go far enough. She says, on the floor, that the FHA does need clear direction what to do in this area of downpayments. Unfortunately, they have not done the job up to this point in time, and now she says we have to give them that clear direction. That is what my amendment would do.

In no uncertain terms, we would say that those people who are not the best risks out there should have a minimum of 5 percent down. I also take from her very own words, she points out the fact that one out of four homes right now are under water. Well, do we want to find ourselves in this situation again 4 or 5 years from now from those very same people when one out of four homeowners are under water when they only have a few couple of percentage points down on their house that they are going to say, I can simply walk away from this house because there is really not much of an investment in it.

I don't think we want to rehash this argument again. I don't think we want to be in this situation again where the American taxpayer is put on the hook, just as it is now, to the tune of $400 billion over the life of the GSAs. We don't want to have to come out and bail out FHAs.

Let's do the prudent thing right now. Let's be on the right side of history and make sure we have a prudent downpayment for FHA loans.

I yield back the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, may I inquire how much time remains?

The Acting CHAIR. The gentleman from Massachusetts has 1½ minutes.

Mr. FRANK of Massachusetts. First, Mr. Chairman, let me be clear, the FHA has gone beyond the gentleman from New Jersey with regard to borrowers who are risky. For borrowers with a 580 or below credit score, the FHA has already used the authority we have given them to raise the downpayment to 10 percent, so we are talking about people above the 580 credit score.

Secondly, there was a total misreading of history with Fannie Mae and Freddie Mac. Yes, some of us thought earlier there wasn't a problem. After it was in order by the Bush administration in 2004 for them to get to more than 50 percent of purchases or mortgages for people below the median income, many of us changed our position and pushed for reform of Fannie Mae and Freddie Mac.

Unfortunately, that didn't happen, because of a dispute between the Republican House and the Republican Senate, until 2007, when this House took the lead and finally got it done in 2008. But the problem was that throughout that, we had ideological opposition from the deregulators against restricting subprime loans of the sort that led to trouble, and the FHA doesn't do that.

Mr. Speaker, I would submit for the RECORD letters from the Mortgage Bankers Association, National Association of Home Builders, National Association of REALTORS, Centers for Responsible Lending, the National Association of Consumer Advocates, the National Council of La Raza, Consumer Federation of America who point out not that we don't need restriction but that the FHA already has them. Again, to confuse this with the situation in which ideological opposition to sensible regulation allowed subprime loans to predominate outside the FHA is a confusion of the reality.

JUNE 9, 2010.

Hon. BARNEY FRANK,
Chair, House Committee on Financial Services, Rayburn House Office Building, Washington, DC.

DEAR CONGRESSMAN FRANK: The Federal Housing Administration's mortgage insurance program has never been more important to our housing markets than it is today. During this period of prolonged stress in our markets, Congress should avoid making any program changes that would further harm consumers and stall our economic recovery. The organizations listed below strongly oppose amendments to H.R. 5072, the FHA Reform Act, which would increase FHA's downpayment requirement, decrease FHA's loan limits, or otherwise limit FHA's ability to insure loans.

Raising FHA's downpayment requirement will do little to strengthen FHA's capital reserve ratio. Rather, it will put homeownership out of reach for many families and for others could deplete their cash reserves for home and other emergencies. Increasing FHA's downpayment could disenfranchise more than 300,000 responsible homeowners. We strongly oppose this amendment offered by Rep. Garrett (R–NJ).

We also oppose an amendment offered by Rep. Price (R–GA) that would limit FHA's market share to 10 percent of the housing finance market. We all welcome the return of private lending and corresponding reduction in FHA's market share, as that will indicate a return to a healthy housing market. But today, FHA is appropriately serving its countercyclical role of providing credit and needed liquidity when the private market is not available to many homebuyers. Legislating an arbitrary reduction in market share in the midst of a housing downturn will have a negative impact on homeownership. We strongly oppose this amendment which will dramatically harm our nation's economic recovery.

Lastly, we ask you to oppose an amendment by Rep. Turner (R–OH) that would reduce the FHA loan limits. FHA's loan limits were temporarily increased in the Economic Stimulus Act of 2008. These higher limits allow American families in communities nationwide to obtain safe, affordable mortgage financing. Decreasing these limits would have a significant impact on the recovery of many housing markets and the overall liquidity of the mortgage industry. Today the private market for loans above the existing limits is small. Reducing the FHA limits will paralyze home sales above the cap, and hurt our housing recovery.

FHA is a critical part of our housing economy. Its programs offer borrowers access to prime-rate mortgages, require stringent underwriting, and will not insure a loan with a

loan-to-value greater than 96.5 percent. We urge you to oppose these amendments that will only hamper this important program.

Sincerely,

MORTGAGE BANKERS ASSOCIATION.
NATIONAL ASSOCIATION OF HOME BUILDERS.
NATIONAL ASSOCIATION OF REALTORS®.

JUNE 7, 2010.

DEAR REPRESENTATIVE: We write in strong support of H.R. 5072, FHA Reform Act of 2010, scheduled for consideration by the House this week. The Federal Housing Administration (FHA) is playing its intended countercyclical role, providing borrowers with access to prime credit. Moreover, the FHA has already taken aggressive steps to manage credit risk and it has appropriate discretion to take additional action as necessary. H.R. 5072 provides the necessary tools to insure the financial stability of FHA and to protect taxpayers from risk.

We strongly oppose any amendments to further raise the FHA-required downpayment. Congress addressed this issue in 2008 with the passage of the Housing and Economic Recovery Act, which increased FHA's downpayment requirement from 3 percent to 3.5 percent. The current downpayment requirement represents a significant financial commitment and sufficient investment to insure a borrower's seriousness about homeownership. Increasing FHA's downpayment to 5 percent would, according to the U.S. Department of Housing and Urban Development, reduce the volume of loans endorsed by FHA by more than 40 percent, while only contributing $500 million in additional budget receipts (as opposed to the expected $4.1 billion from the other announced changes to the program).

The proposed change could have an especially harsh impact on African-American and Hispanic borrowers, who traditionally have much lower accumulated wealth and have benefited from the opportunities that fully documented, standard FHA loans with low down payments offer.

FHA is a critical part of our nation's economic recovery. Increasing the downpayment requirement will make homeownership more difficult for American families and disenfranchise more than 300,000 responsible homebuyers. This is not the time to make unnecessary steps to a program that is serving such a vital function in our housing finance system. We urge you to oppose any amendments to increase FHA's downpayment requirement.

Sincerely,

CENTER FOR RESPONSIBLE LENDING.
CONSUMER FEDERATION OF AMERICA.
NATIONAL ASSOCIATION OF CONSUMER ADVOCATES.
NATIONAL ASSOCIATION OF REALTORS®.
NATIONAL COUNCIL OF LA RAZA.
NATIONAL FAIR HOUSING ALLIANCE.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

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

Mr. GARRETT of New Jersey. Mr. Chair, I demand a recorded vote.

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

AMENDMENT NO. 6 OFFERED BY MR. TIERNEY

The Acting CHAIR (Mr. CUELLAR). It is now in order to consider amendment No. 6 printed in House Report 111–503.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 16. MORTGAGE INSURANCE PREMIUM REFUNDS.

(a) AUTHORITY.—The Secretary of Housing and Urban Development shall, to the extent that amounts are made available pursuant to subsection (c), provide refunds of unearned premium charges paid at the time of insurance for mortgage insurance under title II of the National Housing Act (12 U.S.C. 1707 et seq.) to or on behalf of mortgagors under mortgages described in subsection (b).

(b) ELIGIBLE MORTGAGES.—A mortgage described in this section is a mortgage on a one- to four-family dwelling that—

(1) was insured under title II of the National Housing Act (12 U.S.C. 1707 et seq.);

(2) is otherwise eligible, under the last sentence of subparagraph (A) of section 203(c)(2) of such Act (12 U.S.C. 1709(c)(2)(A)), for a refund of all unearned premium charges paid on the mortgage pursuant to such subparagraph, except that the mortgage—

(A) was closed before December 8, 2004; and

(B) was endorsed on or after such date.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for each fiscal year such sums as may be necessary to provide refunds of unearned mortgage insurance premiums pursuant to this section.

The Acting CHAIR. Pursuant to House Resolution 1424, the gentleman from Massachusetts (Mr. TIERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

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

Mr. Chairman, there are instances when, after we have done all the research and completed all other options and exhausted them, a legislative remedy may still be required in order to help our constituents in our district offices with a particular problem. Those occasions give us the opportunity to evidence how Congress can work on their behalf, how Congress can help solve problems, and how Congress could have a direct and positive effect on people's lives. This is one of those times, and I appreciate the fact that the Rules Committee has made this amendment in order.

This amendment seeks to assist those people who, while they were in the process of pursuing their dream of homeownership, were unfairly impacted by a statutory change to HUD's upfront mortgage insurance premium refund policy. Now, under HUD's Upfront Mortgage Insurance Premium Refund policy, borrowers paid an upfront mortgage insurance of 1½ percent of their FHA loan amount, and if they prepaid their loans, the borrowers could be due refunds on that prepaid insurance amount.

However, in 2005, with the Consolidated Appropriations Act, Congress included language directing that the mortgages after the time of that date of enactment, which was December 8, 2004, that would no longer be true. Borrowers would no longer be eligible for refunds of their prepaid insurance.

So now there are about 15,000 people in this country who tried to do the right thing and play by the rules. They are constituents of all of ours who closed on their mortgage before that December 8, 2004, date in order to be able to get their refund. But, regrettably, they were prevented from receiving their refund because HUD didn't endorse their loan until after December 8, 2004. Now the constituents tell us they were never adequately informed by the lender of those potential provisions, and the lenders tell us they didn't do it because they weren't told by HUD until after the effective date, in fact, not until January of 2005.

I know of one particular family in my district from Gloucester, Massachusetts, who were harmed by that new provision in the law. They did everything right. They played by the rules. They closed their loan in November of 2004 without notice of the change of law, but they have been prevented from receiving their refund of some $4,200 because HUD didn't do their mortgage until after December 10 of 2004. Certainly, that's an unintended consequence of the provisions in the Consolidated Appropriations Act of 2005.

This amendment makes a meaningful first step toward helping certain eligible homeowners and borrowers, many of whom are low-income families, as I say, who played by the rules. I say this is a first step because we later have to go to Appropriations to get money to fulfill this policy. But this clearly is the right policy. It is the fair thing to do. It is the right thing to do, and we have to discuss and argue about the money to appropriate in order to make whole these people at a later date.

But I suggest that if we all want to do the right thing by policy, I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mrs. CAPITO. Mr. Chairman, I rise to claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from West Virginia is recognized for 5 minutes.

Mrs. CAPITO. I think the gentleman from Massachusetts brings forward an issue, and I have great sympathy for those who are caught basically, it sounds like, in a bureaucratic maze here, missed a date not really by their own doing but by maybe just because of the process they were involved in.

The question I have, and the reason I have skepticism on the gentleman's amendment, he began with, I think the number that the gentleman said, this may influence 15,000 folks.

Was that the number that you said in your statement?

I yield to the gentleman from Massachusetts.

Mr. TIERNEY. Yes, 15,593, according to the Department.

Mrs. CAPITO. The other question I would ask the gentleman, and I know we would have to go to Appropriations to get the money allotted for this particular amendment: What would be the approximate cost of something like this? This is something where we are in this time of debt and deficit, and we need to cut our spending here. I think we need to be very vigilant on the bottom line. What is the bottom line of this amendment?

Mr. TIERNEY. I thank you for raising that point that this is a two-step process. This part of the process, in fact, talks about whether we will have a policy that will enable us at some appropriate time to appropriate the money.

Mrs. CAPITO. Right.

Mr. TIERNEY. We are not appropriating the money now, and I think that's a debate for another day and another time if we decide whether we want to be fair to these people or put it off for some other time, but the total for that 15,593 people, according to the Department, would be $10,372,661.61, more or less.

Mrs. CAPITO. Thank you. Very precise. I appreciate that.

I still have skepticism even about 10 million, which in everyday dollars is still quite a bit of money. And, as I said, we need to look at what we are doing on the bottom line here.

So, while I am very sympathetic and I think that the amendment has some merit, I would stand in opposition to the amendment.

I yield back the balance of my time.

Mr. TIERNEY. Mr. Chairman, I understand that $10 million is $10 million, and that's a lot of money to each one of us individually and, of course, we should be concerned. It's not proportionately a lot in our $1.7 trillion budget.

But I think the real number to look at here is what does it mean to these individuals who are harmed by government policy on no doing of their own. So if it's $4,200 to a family in my district or $4,200 to a family in the gentlewoman's district, that's what's driving our economy right now.

For people to have every expectation of getting the return of that money and to play by the rules only to have the bureaucracy undercut them, I think that's the issue of fairness that we are dealing with here.

Now, we will have an issue later on about whether or not we think now is the appropriate time to put $10 million on the floor to help people out, and that will be a day for them. But I think we should deal with the policy now and authorize that to be done at some date either this year or next year, or whenever we can make the argument in Congress that it's time to be fair.

I think we can all say in this amount, given the huge meaning this is to individuals, now is the time to be fair; 15,000 people wronged by government bureaucracy in amounts that are every bit as significant to them individually, the $4,200, as $10 million may be to all of us in the aggregate. It's an impact on their lives. It's whether or not their families are going to be able to make it through this crisis, whether or not they are going to be able to meet the everyday needs of food, health care, education, clothing and those things that are important to their family.

Again, in closing, I just reiterate, this is the authorization process. Let's set the policy of fairness. We can debate the other later. And let's keep in mind these people played by the rules, did what was right, and deserve to know, at least as a policy matter, Congress will stand with them.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. TIERNEY).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. PRICE OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 111–503.

Mr. PRICE of Georgia. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 16. LIMITING ON FHA SHARE OF MORTGAGE MARKET.

(a) 10 PERCENT LIMITATION.—Section 203 of the National Housing Act (12 U.S.C. 1709) is amended by inserting after subsection (h) the following new subsection:

''(i) LIMITATION ON FHA MARKET SHARE.—Notwithstanding any other provision of law, the aggregate number of mortgages secured by one- to four-family dwellings that are insured under this title in fiscal year 2012 or any fiscal year thereafter may not exceed 10 percent of the aggregate number of mortgages on such dwellings originated in the United States (but not including mortgages insured under this title), as determined by the Secretary after consultation with appropriate Federal financial regulatory agencies, during the preceding fiscal year.''.

(b) PLAN.—Not later than the expiration of the 90-day period beginning upon the date of the enactment of this Act, the Secretary of Housing and Urban Development shall submit to the Congress a plan setting forth a strategy and actions to be taken to ensure compliance with section 203(i) of the National Housing Act, as added by the amendment made by subsection (a) of this section.

The Acting CHAIR. Pursuant to House Resolution 1424, the gentleman from Georgia (Mr. PRICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. PRICE of Georgia. I want to commend the chairman of the committee and the ranking member for moving this particular piece of legislation. I particularly want to commend the gentlewoman from West Virginia (Mrs. CAPITO) for her great work in this area. She has been a dynamic and an excellent leader in this area and, indeed, she is to be commended.

Mr. Chairman, this bill incorporates some very positive moves. Clearly, the housing market has had significant challenges, and the question that we ought to be asking ourselves is how best to recover. Most experts would agree that, in order to move forward, we need to move toward less market distortion.

It might be helpful if we focus on the FHA's mission and the focus and the requirements that they have on them. We all support the FHA mission. The mission is to serve first-time homebuyers in underserved communities, but the FHA didn't get to a 30 percent market share, Mr. Chairman, by lending to first-time homebuyers and by serving underserved communities.

In terms of the requirements of the FHA, the requirements of the FHA are 3.5 percent downpayment. The private sector requires at least 10 percent. The FHA is required to hold a 2 percent capital reserve ratio, but it's actual ratio is 0.53 percent. A bank is required to hold 10 percent capital reserve ratio.

A recent editorial in the Wall Street Journal said, According to Mortgage Bankers Association data, more than one in eight FHA loans is now delinquent, nearly triple the rate on conventional nonsubprime loan portfolios. Another 7.5 percent agreed that FHA loans are in serious delinquency, which means at least 3 months overdue. The FHA is almost certainly going to need a taxpayer bailout in the months ahead. The only debate will be about how much it will cost.

A former chief credit officer of Fannie and Freddie Mae, Edward Pinto, notes that ''FHA's high-risk lending practices negatively impact the housing finance marketplace.'' Mr. Chairman, you can translate that into being increasing taxpayer exposure.

□ 1215

So if we are honest with ourselves, when appropriately sized, the FHA does indeed do a wonderful job and is very helpful. But at this point, this is just another government program that is distorting the market. FHA's huge market share is a hindrance to regaining equity in the housing market. In addition, Fannie and Freddie's unlimited government lifeline is also a hindrance to the housing recovery.

My amendment would ensure that the FHA no longer crowds out the private market for home loans. The amendment is a modest first step to cap FHA new origination market share to no more than 10 percent of the private-market home loans each year, beginning in 2010 so there is significant time to adjust, so the American people are not further exposed to the next bailout. Mr. Chairman, that means the taxpayer is not exposed to greater liability.

The American people are sick and tired of bailouts. They see another one on the horizon. It is time for us to act. No more bailouts. What they are telling us across this country is to stop the madness. This amendment begins the process of stopping that madness.

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

Mr. FRANK of Massachusetts. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. FRANK of Massachusetts. I yield 2 minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. At best, we have a fragile recovery from a massive recession caused by a precipitous decline in home prices. Now, I know the gentleman is well-intentioned, but nothing is more likely to cause a double dip in this recession than the second precipitous drop in home prices that would be caused by pulling FHA and, as the gentleman argues, Fannie and Freddie out of the home lending market.

Right now, FHA is 30 percent of the home purchase finance market, about over half of that market for African Americans, 45 percent for Hispanics. Are we going to tell one-third of American home buyers, almost half or over half Hispanics and African Americans seeking to buy homes, that they are not going to be able to buy those homes? Because, if they can't get FHA financing, the private sector may be there, but at much higher rates. And there is no way that these individuals will be able to afford to buy those homes.

With fewer buyers, you will see a precipitous decline in prices. That devastates communities further, devastates the American economy further.

FHA is actuarially sound. It charges fees for the services and the guarantees that it provides. And to cut its role in the market by a third as part of an overall policy designed to take FHA, Fannie Mae, and Freddie Mac out of the market ignores the fact that, in these troubled times, those three entities—FHA, Fannie, and Freddie—account for almost all of the home mortgages obtained by middle-class and working families.

So we should defeat the gentleman's amendment. And I want to point out it is opposed by the National Association of Realtors, the National Association of Home Builders, and the Mortgage Bankers Association.

Mr. PRICE of Georgia. Mr. Chairman, may I ask how much time remains on each side?

The Acting CHAIR. The gentleman from Georgia has 1½ minutes. The gentleman from Massachusetts has 3 minutes.

Mr. PRICE of Georgia. Mr. Chairman, I appreciate the gentleman from California's comments. There is no doubt we are indeed in a fragile housing market, which is precisely why this policy would not take effect until 2012. It gives the Secretary significant flexibility in defining what that 10 percent is, but what it tries to do is to right-size the number of mortgages, the percent of the mortgages that the FHA insures.

I want to point out to all that 30 percent is a huge portion, historically, as it relates to what the FHA single-family insurance activity has comprised. From 2001 to 2007, the numbers were under 10 percent every single year for all FHA family insurance activity. So the amount of 10 percent is a responsible, a reasonable number.

What it tries to do, again, is to decrease the effect of intervention into the market that distorts the market. Remember, Mr. Chairman, that when the government distorts the market it makes it much more difficult for the market to recover and for us to make certain that we move in the direction of economic activity that we need.

Again, the taxpayers of this country are sick and tired of bailouts. This is another bailout in the making if we allow the process that is currently in place to continue. We should limit the FHA exposure to 10 percent. We do it in a responsible way, by saying that it would begin in 2012. We provide significant flexibility for the Secretary so that the program will work well.

I urge my colleagues to adopt the amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself the balance of my time.

First, I do note a certain irony. I am glad to see my colleagues, the gentleman from New Jersey, the gentleman from Georgia, praise the gentlewoman from West Virginia for a bill which they apparently found severely lacking.

I do note the gentlewoman from West Virginia voted against the prior amendment from the gentleman from New Jersey. I don't know where she is on this one, but it wasn't in the bill that I think she introduced, and for very good reason: A 10 percent cap is wholly arbitrary.

Now, the gentleman says it's going to crowd out the private market, but the leading participants in the private housing market oppose this amendment, including the Mortgage Bankers, as well as Realtors and Home Builders, as well as all consumer groups.

Beyond that, the reason the FHA went down so far from 2001 to 2007—interesting group of years; guess what was happening during that time?—was that there was a resistance to regulation of the subprime market.

The Federal Reserve was ignoring legislation Congress gave it in 1994 to regulate subprime lending. The Bush administration, in 2004, ordered Fannie Mae and Freddie Mac to increase the subprime loans they bought, which is one reason why I changed my position on the need to be tougher in the regulatory field. And the FHA lost out because these imprudent mortgages were being given without regulation. The FHA doesn't do the kind of mortgages that led to problems.

Beyond that, in recent years, towards the end of the Bush administration and with even greater force during the Obama administration, the FHA has been improving. The FHA has on its own said, if you've got a 580 credit score or below, it's a 10 percent downpayment. We mandated that they go from 3 to 3.5 percent downpayment and increase the upfront fees.

In this bill—and the gentlewoman from West Virginia deserves a great deal of credit, along with our colleague, the gentlewoman from California—the FHA is given credit to require lenders who get loans placed with the FHA in violation of the guidelines to take back those loans. So it wouldn't be the taxpayer that would be on the hook for those loans that shouldn't have been granted and that violated the good guidelines of the FHA; it will be the lender.

It also gives them the power to debar people who have a bad record, which is something they haven't had before.

So we are not talking about the old FHA; we are talking about an improved one. And we are talking about an FHA that stands in great contrast to the unregulated subprime market.

Finally, the gentleman says, ''Well, it doesn't take effect until 2012.'' Neither he nor I knows what the housing market will look like in 2012. And if there's a reason not to do it now, that might also be there in 2012. No one can predict whether the housing—and maybe in 2015 it will be back again into trouble.

The housing market we don't believe is going to crash like it did before, but the basic point is this: The FHA has been the alternative to the kind of unregulated, irresponsible subprime mortgages that many of my friends on the other side protected, the kind of mortgages which they prevented us from regulating until 2007 when we were able to pass a bill in the House, over the objection of many of those who have spoken already, to regulate subprime mortgages. And because we did that, the Federal Reserve finally used its authority.

I hope the amendment is defeated.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. PRICE).

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

Mr. PRICE of Georgia. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 8 OFFERED BY MR. WEINER

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 111–503.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. WEINER:

At the end of the bill, add the following new section:

SEC. 16. MAXIMUM MORTGAGE AMOUNT LIMITS FOR MULTIFAMILY HOUSING.

(a) ELEVATOR-TYPE STRUCTURES.—

(1) AMENDMENTS.—The National Housing Act is amended in each of the provisions specified in paragraph (2)—

(A) by inserting ''with sound standards of construction and design'' after ''elevator-type structures'' the first place such term appears; and

(B) by striking ''to not to exceed'' and all that follows through ''sound standards of construction and design'' each place such terms appear and inserting ''by not more than 50 percent of the amounts specified for each unit size''.

(2) PROVISIONS AMENDED.—The provisions of the National Housing Act specified in this paragraph are as follows:

(A) Subparagraph (A) of section 207(c)(3) (12 U.S.C. 1713(c)(3)(A)).

(B) Subparagraph (A) of section 213(b)(2) (12 U.S.C. 1715e(b)(2)(A)).

(C) Subclause (I) of section 220(d)(3)(B)(iii) (12 U.S.C. 1715k(d)(3)(B)(iii)(I)).

(D) In section 221(d) (12 U.S.C. 1715l(d))—

(i) subclause (I) of paragraph (3)(ii); and

(ii) subclause (I) of paragraph (4)(ii).

(E) Subparagraph (A) of section 231(c)(2) (12 U.S.C. 1715v(c)(2)(A)).

(F) Subparagraph (A) of section 234(e)(3) (12 U.S.C. 1715y(e)(3)(A)).

(b) EXTREMELY HIGH-COST AREAS.—Section 214 of the National Housing Act (12 U.S.C. 1715d) is amended—

(1) in the first sentence—

(A) by inserting '', or with respect to projects consisting of more than four dwelling units located in an extremely high-cost area as determined by the Secretary'' after ''or the Virgin Islands'' the first place such term appears;

(B) by inserting '', or to construct projects consisting of more than four dwelling units on property located in an extremely high-cost area as determined by the Secretary'' after ''or the Virgin Islands'' the second place such term appears; and

(C) by inserting '', or with respect to projects consisting of more than four dwelling units located in an extremely high-cost area as determined by the Secretary'' after ''or the Virgin Islands'' the third place such term appears;

(2) in the second sentence—

(A) by inserting '', or with respect to a project consisting of more than four dwelling units located in an extremely high-cost area as determined by the Secretary,'' after ''or the Virgin Islands'' the first place such term appears; and

(B) by inserting '', or in the case of a project consisting of more than four dwelling units in an extremely high-cost area as determined by the Secretary, in such extremely high-cost area,'' after ''or the Virgin Islands'' the second place such term appears; and

(3) in the section heading, by striking ''AND THE VIRGIN ISLANDS'' and inserting ''THE VIRGIN ISLANDS, AND EXTREMELY HIGH-COST AREAS''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to mortgages insured under title II of the National Housing Act after September 30, 2010.

The Acting CHAIR. Pursuant to House Resolution 1424, the gentleman from New York (Mr. WEINER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. WEINER. Mr. Chairman, I appreciate the opportunity. I also want to thank my colleague, Mr. MILLER, with whom I offer this amendment.

This is a similar amendment—in fact, it is identical to one that was adopted by voice vote. There are problems with some FHA programs, and they are addressed in this bill. And there are some losing programs; there are some programs that simply haven't worked out very well.

One program that has been a consistent money-maker for the taxpayer and one that has driven the marketplace to do good things is the Multifamily Loan Program. However, in that program, the limits set for how much the loan can be guaranteed for have not risen as fast as the cost in a lot of communities.

So what the Weiner-Miller amendment would do is simply raise the limits to keep up with the cost and create something called an ''extreme high-cost area.''

The way the program works is they essentially say, this is the limit to which we will underwrite, guarantee a loan for new construction or to modify a home. But if you have an apartment building—four, five, 10, 50, 100 units—obviously the costs wind up going up as you need things like elevators and HVAC going into big buildings. And what happens is, in places like Los Angeles and New York and Las Vegas and Miami, these costs have simply not been kept up with. The result has been that the loan program has not been very useful there.

What we do is we take a loan limit of $183,000, almost $184,000, create a new extreme high-cost area that the Secretary will be able to designate where the limits will be higher, $377,000.

For those people who are concerned, well, are we going in the wrong direction and giving too much exposure to a program that we should be tightening up, this is a program that, unlike the single-family homes, where the program there has an extreme delinquency rate of about 8 percent, this one only has one of 0.3 percent.

Frankly, this is not a problem program, so we are just increasing the limits on one that really would encourage people to make loans to small businesses for developing.

I urge a ''yes'' vote.

I reserve the balance of my time.

Mr. GARY G. MILLER of California. Mr. Chairman, I claim time in opposition to the amendment, although I am not in opposition to the amendment.

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

There was no objection.

Mr. GARY G. MILLER of California. I yield myself such time as I may consume.

This amendment is exactly the same as the bill that passed this body by a voice vote last year, the FHA Multifamily Loan Limit Adjustment Act.

FHA's multifamily mortgage insurance programs enable qualified borrowers to obtain long-term, fixed-rate financing for a variety of multifamily properties that are affordable to low- and moderate-income families.

In the most expensive cites, it is very difficult for these workers, particularly those starting out in the workforce, to find affordable rental housing where they work. The FHA multifamily mortgage insurance program can help, but, due to its loan limits, there were only three FHA-insured multifamily loans for high-rise construction or rehabilitation approved in fiscal year 2007 and 2008—understand, just three—and that is a huge problem in this country. The loan limits in high-cost areas are simply too low.

According to the Mortgage Bankers Association, the lack of available loans is creating serious problems concentrated in major cities where high-rise construction is involved. In fact, their data shows that while elevator buildings cost 45 percent more than non-elevator structures, the current limit for these structures are less than 10 percent higher than non-elevator structures.

Developers are simply unable to provide affordable housing units in high-cost areas because the current statutory loan limits for FHA mortgage insurance are basically too low. I don't think we have ever seen a housing market that has been as impacted as the one we have faced in recent years. Low-income renters and moderate-income renters in these particular areas are really impacted by the loan limits that we have placed on developers.

We need to provide more housing stock, yet do it in a way that does not put taxpayers at risk. And that is what this does. The program makes money for the government, does not lose money for the government. I would absolutely support this amendment and ask all my colleagues to join us.

I reserve the balance of my time.

Mr. WEINER. I think my colleague states it very well, and I urge a ''yes'' vote as well.

I just want to point out, this is not a zero-sum game. There is nothing about the single-home market that is going to be impacted by this. There is nothing about the higher cost that is going to be impacted. This is just allowing this program to function in all quarters of the housing market and to take into accommodation the things that my colleague says, things like bigger buildings have very often higher costs.

As I said, this has an outstanding delinquency rate of 0.3 percent. If every housing program and every housing guarantee program, despite the very difficult downturn, had such a small delinquency rate as this, then I think we would all be very happy with it. So increasing these limits I don't believe would have any deleterious effect.

I urge a ''yes'' vote.

I yield back the balance of my time.

Mr. GARY G. MILLER of California. I agree with what my colleague said.

When we passed this bill out last time, it had unanimous support. There is no impact on the Federal Government. We are taking areas that are high-cost, that have basically been discriminated against in the past from being able to participate in either a GSA loan or an FHA loan.

This is a good amendment. I ask for an ''aye'' vote.

□ 1230

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. TURNER

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 111–503.

Mr. TURNER. Mr. Chairman, I have an amendment at the desk, and I ask for its immediate consideration.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. TURNER:

At the end of the bill, add the following new section:

SEC. 16. FHA MAXIMUM LOAN LIMITS FOR 2010.

Section 166 of the Continuing Appropriations Resolution, 2010 (as added by section 104 of Public Law 111–88; 123 Stat. 2972) is amended—

(1) in subsection (a), by striking ''For'' and inserting ''Except as provided in subsection (c), for'';

(2) in subsection (b), by inserting ''the lesser of the applicable amount under subsection (c) of this section or'' after ''but in no case to an amount that exceeds'' ; and

(3) by adding at the end the following new subsection:

''(c) ABSOLUTE CEILING LIMITS.—Notwithstanding any other provision of this section, the maximum dollar amount limitation on the principal obligation of a mortgage determined under this section for any area or subarea may not exceed, in the case of a one-family residence, $500,000, and in the case of a 2-, 3-, or 4-family residence, the percentage of such amount that bears the same ratio to such amount as the dollar amount limitation determined under the sixth sentence of section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act for a 2-, 3-, or 4-family residence, respectively, bears to the dollar amount limitation determined under such section for a 1-family residence.''.

The Acting CHAIR. Pursuant to House Resolution 1424, the gentleman from Ohio (Mr. TURNER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

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

Mr. Chairman, I rise today to offer an amendment that caps the temporary authority for the Federal Housing Administration to insure homes in high-cost areas at $500,000. The current temporary authority has the FHA insuring mortgages as high as $729,750.

Only in Washington would a government program insure a mortgage on a home worth $750,000 for a low- and moderate-income program. Permitting FHA loans on a $750,000 home puts American taxpayers at additional risk. Allowing FHA-backed loans on these expensive homes contributes to the overinflated housing values that contributed to the foreclosure crisis from the beginning.

The mortgage foreclosure crisis is not over, Mr. Chairman. There are still too many American families who are confronted every day with the risk that they might lose their homes. Washington should not be in the role of enabling this crisis. We need to begin the process of reducing the dependence of these communities from artificial support, and we need to give the private sector the ability to step back into the market.

The best place to facilitate this is to lower the FHA loan limit to homes under $500,000. The FHA has traditionally focused on low- to moderate-income families who are seeking to purchase homes—and for good reason—as these buyers need the greatest assistance in their home purchases. The FHA should, once again, focus their efforts on these buyers.

Permitting FHA loans to purchase a $750,000 home also means fewer FHA-insured mortgages for Ohio families and for families across America who truly need them. In most of my congressional district in Ohio, the current FHA loan limit is $271,000, which is in line with the loan limit for most of the U.S. I understand that there are high-cost urban areas in our Nation where some homes cost more than in Ohio, but the FHA was designed to help low and moderate homebuyers, and it should focus on more moderately priced homes. Permitting FHA loans for these high-priced homes only limits access to true moderately priced FHA loans for American families who need them.

My amendment seeks to start the process of removing higher income buyers off the government program designed for low to moderate buyers. The effect of this amendment is to limit it to the 179 counties in the country, but it does not reduce the assistance to the moderately priced homes that are the majority of the Nation.

The FHA was intended to assist Americans in achieving the American dream of homeownership. We need to work to ensure that their focus continues to be on those who truly need the help. My amendment would work to that purpose, and I urge my colleagues to support it.

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

Mr. SHERMAN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. SHERMAN. I yield 1½ minutes to the gentleman from California (Mr. GARY G. MILLER).

Mr. GARY G. MILLER of California. I thank the gentleman for yielding.

I am in strong opposition to this amendment. Over the years, I think in about 2001, I started arguing to raise conforming loan limits in high-cost areas, and it has had a tremendous benefit across this Nation, but it seems like everybody who comes with amendments to oppose that does so when it does not impact their districts.

Now, my good friend Mr. TURNER—and he is a good friend of mine—if you had introduced an amendment and had said to accept conforming as it should be, if you applied the old principles, it would be $417,000, but that would have had an impact on many counties in your State. So you introduced an amendment which said, well, let's pick an amount of $500,000, which means there is zero impact on the State of Ohio. So $500,000 is a great amount to pull out of the air when it doesn't impact you, personally.

In L.A. County, the loan limits are $729,750. In Orange County, the limits are $729,750. These are some of the best-performing loans FHA is making. When you look at GSE and FHA nationwide, they are making over 90 percent of the loans in this country. If they were not there today, people would not be able to sell loans in high-cost areas.

The Acting CHAIR. The time of the gentleman has expired.

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

Mr. GARY G. MILLER of California. You would not be able to sell a home in a high-cost area, nor would you be able to buy a home in a high-cost area. Now, if this were in some way impacting the Federal Government or taxpayers, I would absolutely agree with my good friend.

I will say again to my good friend, Mr. TURNER, that I would agree with this, but this is not impacting taxpayers. It is not impacting FHA. It has some of the best-performing loans. Why should people who live in high-cost areas be basically penalized just because we want to pick a number of $500,000 out of the air, which will have no benefit to anybody anywhere?

I absolutely think this is a wrong amendment. I oppose it, and I ask my colleagues to oppose this amendment.

Mr. TURNER. Well, I appreciate my good friend Mr. MILLER's statement.

There is one that I do want to correct, though, which is that all of Ohio would be under his suggested limit of 415. We certainly could have picked a lower number. My community is at 271.

The issue becomes one of, well, we're in a financial crisis, and we're having bailouts and mortgage foreclosures across the country. We look to this issue as one of basic math. The larger the loan amount, the more the risk. When there is fluctuation in the market, a percentage of a larger number is a larger loss, leading to, certainly, an issue of more increased incidences of a likelihood of foreclosure.

Also, the issue of larger loan amounts means fewer loans which could be provided assistance. There is a limited amount here, and with that limited amount, if it is carved up into

$750,000 home sales versus those that are going to more moderately priced homes, you certainly will have less resources with which to provide that assistance.

This is basic math. When we look across the country during this mortgage foreclosure crisis, we have to be very concerned about how we ensure that we are assisting home buyers, low and moderate buyers. At the same time, we have to ensure we are not overly inflating the market and that we are not putting the taxpayers at greater risk.

I reserve the balance of my time.

Mr. SHERMAN. A quick inquiry: Do I have the right to close, or does the gentleman from Ohio have the right to close?

The Acting CHAIR. The gentleman from California has the right to close.

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

Mr. TURNER. Mr. Chairman, I urge all of my colleagues to support this measure, which makes good financial and fiscal sense. It would lower the amount, providing greater assistance because there would be a greater number of loans which could be provided assistance. At the same time, it would lower the risk to taxpayers, and it would lower the risk of bailouts by making these higher-cost areas, the more risky areas, conform to an amount that really would be more reflective of our goal of low and moderate home buyers who receive assistance from the FHA.

I yield back the balance of my time.

Mr. SHERMAN. I yield myself the remainder of the time.

Mr. Chairman, I think the gentleman's definition of ''risk'' and his arithmetic are a bit faulty. To say that $1 billion of smaller loans carries less risk than $1 billion of larger loans is not something one can determine except by looking at the performance of those loans.

As the gentleman from California (Mr. GARY G. MILLER) pointed out, those larger loans perform better. The FHA, therefore, has less insurance risk and, actually, usually, makes a profit on those loans. So to say that loans in Los Angeles take away from loans in Ohio and expose the Federal Government to more risk than loans in Ohio is simply false.

Mr. GARY G. MILLER of California. Will the gentleman yield?

Mr. SHERMAN. I will yield to the gentleman from California.

Mr. GARY G. MILLER of California. A question for you: there has been a perception created that somehow, by eliminating the high-cost areas, the FHA could insure more loans. Yet that is not real because the FHA can insure all of the loans they want irrespective of the volume of the loans. It does not have any impact on FHA's ability whatsoever. Am I correct on that?

Mr. SHERMAN. The gentleman is correct. This is not an anti-Ohio stance that the two gentlemen from California are taking.

The fact is there is this image that some have from other parts of the country that, if a home sells for more than $500,000, the people in it must be rich. That is not how things work in the 122 counties that are affected by this amendment. In my area, if a police officer is married to a teacher, they're in a home of over $500,000. Now, that's very difficult for them to afford. That ends up tying up their retirement money for better or for worse, but that is how expensive it is to live in some parts of this country.

To say that, because people are buying a home of over $500,000 that they are rich and do not deserve the same kind of help the gentleman from Ohio thinks middle class families in his district deserve, it is the same kind of help that middle class families in my district deserve.

Now, this amendment is opposed by the Mortgage Bankers Association, by the National Association of Home Builders and by the National Association of Realtors, not just the California divisions of those entities but entities that represent the entire country. I don't think that the Ohio Realtors would be here supporting this amendment. I don't think the Nebraska Realtors would be. And I don't think the National Association of Realtors would be here opposing this amendment if the amendment were going to help major swaths of this country.

The fact is that the FHA's current program helps California without hurting those other States. It helps the Washington area, the New York area, much of Virginia, et cetera. The worst thing we could do for this economy is to cause a precipitous decline in the price of homes in the major metropolitan areas of this country. Our recovery is fragile. The program, the way it works now, allows middle class families in both Los Angeles and in Ohio to be able to finance homes, and we ought to vote down this amendment.

So please join with Chairman FRANK, with Chairwoman WATERS, with the National Association of Realtors, Home Builders, and Mortgage Bankers in urging a ''no'' vote.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. TURNER).

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

Mr. TURNER. Mr. Chair, I demand a recorded vote.

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

AMENDMENT NO. 10 OFFERED BY MS. CLARKE

The Acting CHAIR (Mr. RAHALL). It is now in order to consider amendment No. 10 printed in House Report 111–503.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Ms. CLARKE:

Page 21, line 3, strike ''and''.

Page 21, line 8, strike the period and insert ''; and''.

Page 21, after line 8, insert the following:

(E) analyzes the effectiveness of the loss mitigation home retention options of the Department of Housing and Urban Development in assisting individuals in avoiding home foreclosure for mortgages on 1- to 4-family residences insured under subsection (b) or (k) of section 203, section 234(c), or section 251 of the National Housing Act, particularly for low-income individuals (as such term is defined in section 103 of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4702)).

The Acting CHAIR. Pursuant to House Resolution 1424, the gentlewoman from New York (Ms. CLARKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. CLARKE. Mr. Chairman, I thank my colleagues, Chair WATERS and Chairman FRANK, for bringing this important bill to the floor today and for supporting my amendment, which is cosponsored by Representative CUELLAR from Texas.

Before I speak about my amendment, I want to quickly recognize the significance of H.R. 5072. This bill will make essential reforms to strengthen the financial footing of the FHA, and it will enhance its authority to go after fraudulent lenders who have preyed on the most vulnerable of borrowers for far too long.

Mr. Chairman, many people have blamed this foreclosure crisis on the borrowers while some individuals, desperate to achieve the American Dream, may have sought to cut corners in the process. Fraudulent and unscrupulous lenders ultimately held the purse strings. These lenders bear a great deal of the burden for the foreclosure crisis, which continues to impact Americans and to devastate communities from coast to coast.

Last year, New York City saw a record 20,000 foreclosure filings. According to data compiled by the Furman Center for Real Estate and Urban Policy at New York University, in the first quarter of 2010, there were 4,226 foreclosures across New York City, up 16.3 percent from 2008. Brooklyn alone experienced 1,546 foreclosures in the first quarter of 2010.

Since the beginning of the FHA, Commissioner Stevens' tenure in 2009, the Commissioner and Deputy Assistant Secretary Bott have taken several steps to assess and to strengthen FHA's foreclosure mitigation capabilities, beginning with a thorough review of FHA and of private lender loss mitigation and foreclosure preventative activities. The FHA trained almost 2,000 staff lenders on how to better serve FHA borrowers to avoid foreclosure, to identify lenders which are underperforming and to share best practices to improve foreclosure mitigation performance.

□ 1245

FHA assisted more than 450,000 borrowers in the past year to avoid foreclosure through a variety of loss mitigation programs, but my constituents are telling me that more can be done to support the foreclosure counseling efforts. We must determine if enough resources are being devoted to foreclosure mitigation, especially for low-income borrowers. That is why I proposed this amendment, along with Mr. CUELLAR, which would direct GAO to analyze the effectiveness of HUD's loss mitigation home retention efforts in helping distressed borrowers, especially low-income borrowers, hold on to their American Dream. While the FHA is working to strengthen its mitigation capabilities, resources for these efforts are likely insufficient for the massive size of the program.

I'd like to thank Representative CUELLAR for joining me in this effort. Low-income borrowers in rural areas such as Mr. CUELLAR's district in Texas are facing the same challenges as those in distressed urban areas such as parts of my district in Brooklyn.

I encourage my colleagues to support this amendment to assist our Nation to overcome our foreclosure crisis.

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

Mrs. CAPITO. Mr. Chairman, I rise to claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentlewoman from West Virginia is recognized for 5 minutes.

There was no objection.

Mrs. CAPITO. Mr. Chairman, just briefly, I would like to thank both the sponsors of the bill. Certainly the intent is for more information and certainly more accurate information to look at the programs that we're putting forth and that have been put forth to see if the loss mitigation efforts are working and in what ways we can improve them. So I congratulate you and I urge support of the amendment.

I yield back the balance of my time.

Ms. CLARKE. I want to thank my colleague on the other side of the aisle for seeing the usefulness in this amendment. I want to thank Mr. CUELLAR for being a partner and for bringing this amendment forward.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Ms. CLARKE).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. NYE

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 111–503.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. NYE:

At the end of the bill, add the following new section:

SEC. 16. SPECIAL FORBEARANCE FOR MORTGAGORS WITH CHINESE DRYWALL.

The provisions of Mortgagee Letter 2002–17 of the Secretary of Housing and Urban Development (regarding ''Special Forbearance: Program Changes and Updates'') relating to Type I Special Forbearance shall apply, until the conclusion of fiscal year 2011 and may not be revoked, annulled, repealed, or rescinded during such period, with respect to mortgagees of mortgages insured under title II of the National Housing Act that are secured by one- to four-family dwellings that have problem or damaging drywall products.

The Acting CHAIR (Mr. CUELLAR). Pursuant to House Resolution 1424, the gentleman from Virginia (Mr. NYE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

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

Mr. Chairman, I stand here today to continue the fight for my constituents in Hampton Roads, Virginia, and for thousands of families across the United States against a nefarious adversary, toxic Chinese drywall.

Chinese drywall has serious health implications. The toxins released from the drywall reek of chemicals and rotten eggs. They corrode a home's electrical systems and can cause deep, hacking coughs, bloody noses, and eye irritation. However, the scariest fact is that we still do not know what long-term health effects Chinese drywall will have.

Since January of last year, more than 3,300 cases have been reported from 37 States and the District of Columbia. Families have been left with an impossible choice: live in a contaminated home or pay tens if not hundreds of thousands of dollars to rip out and replace their home's drywall.

In my district, I have visited these homes and I've spoken with the families. Many of them have been forced to move in with friends or relatives; many others are now living in rental housing, paying for both the cost of the mortgage and the cost of rent or, even worse, living in the home, unable to afford repairs. And still others have made the toughest decision: walking away from their homes. This is bad for our recovering housing market and bad for our economy, and it's bad for American families.

Mr. Chairman, my commonsense amendment will extend the Federal Housing Administration's special forbearance program for American homeowners by providing forbearances for those who suffer from toxic Chinese drywall through fiscal year 2011. This reprieve has allowed countless families to get back on their feet and repair their homes.

As cochairman of the Congressional Contaminated Drywall Caucus, I commend the Federal Housing Administration for working with Congress and American homeowners. Providing temporary forbearances for those who suffer from Chinese drywall through no fault of their own is something the Federal Government must continue to support. I hope my colleagues will join me in supporting this amendment.

I reserve the balance of my time.

Mrs. CAPITO. I rise to claim the time in opposition, although I'm not opposed to the gentleman's amendment.

The Acting CHAIR. Without objection, the gentlewoman from West Virginia is recognized for 5 minutes.

There was no objection.

Mrs. CAPITO. As the Congressman has stated, his amendment merely ensures that HUD will take no action between now and the end of FY 2011 to bar the Chinese drywall victims from eligibility from HUD's special mitigation and forbearance program. Since this does not create a new program or new spending, it just ensures an existing effort by HUD to extend aid to Chinese drywall victims remains in place through FY 2011, I commend the gentleman on his amendment, and I support the gentleman's amendment.

I yield back the balance of my time.

Mr. NYE. I thank my colleague from West Virginia for her support of the amendment. I urge all of my colleagues to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. NYE).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. EDWARDS OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 111–503.

Mr. EDWARDS of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. EDWARDS of Texas:

At the end of the bill, add the following new section:

SEC. 16. REQUIRED CERTIFICATIONS.

Section 203 of the National Housing Act (12 U.S.C. 1709), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

''(z) REQUIRED CERTIFICATIONS.—Notwithstanding any other provision of law, the Secretary may not insure any mortgage secured by a one- to four-family dwelling unless the mortgagor under such mortgage certifies, under penalty of perjury, that the mortgagor has not been convicted of a sex offense against a minor (as such terms are defined in section 111 of the Sex Offender Registration and Notification Act (42 U.S.C. 16911)).''.

The Acting CHAIR. Pursuant to House Resolution 1424, the gentleman from Texas (Mr. EDWARDS) and a Member opposed each will control 5 minutes.

The Chair now recognizes the gentleman from Texas.

Mr. EDWARDS of Texas. Mr. Chairman, Members, my amendment is a simple, commonsense protection for

children and families. It requires anyone seeking to benefit from the terms of an FHA mortgage to certify under penalty of perjury that they have not been convicted of a sex offense against a minor. This amendment ensures that taxpayers will not be on the hook for loans made to convicted child sex offenders.

There are 704,000 registered sex offenders currently living in our communities, and experts estimate as many as 100,000 convicted sex offenders are lost in the system. Recent research has shown that there is a high repeat rate for sexual crimes, and even higher amongst those who commit these crimes against children. As a result, in the past 2 years, Congress has passed a series of laws adopting the use of sex offender registries and community notification systems for sexually violent offenders and those committing offenses against children.

While we cannot prevent registered child sex offenders from moving into our communities, we do not need to provide them the additional benefits offered by an FHA home loan if they try to do so. With an FHA home loan, taxpayers are liable if the loan defaults. I do not believe, I don't think most Members of this House believe, and I know most Americans do not believe that taxpayers should be on the hook for a home loan of someone who has committed a sex offense against a minor.

A quarter of a million children are sexually assaulted every year in my home State of Texas, according to the National Crime Victims Research and Treatment report. There are still private market alternatives to FHA loans, and we want to continue to discourage any kind of federally financed reward or taxpayer-backed benefit to sex offenders reentering our communities. For example, sex offenders are already banned from residing in section 8 public housing. My amendment continues that pro-family stance.

The certification requirement in this amendment is a strong enforcement mechanism which will not put additional burdens on small businesses.

And so, Mr. Chairman, I urge support of my amendment to protect our communities and to prohibit those who have committed a sex offense against a minor from benefiting from government-backed FHA loans.

I reserve the balance of my time.

Mrs. CAPITO. I would like to claim time in opposition, although I am not opposed to the gentleman's amendment.

The Acting CHAIR. Without objection, the gentlewoman from West Virginia is recognized for 5 minutes.

There was no objection.

Mrs. CAPITO. The gentleman's amendment is similar to previous efforts by Republicans in past housing debates to ensure that convicted sex offenders are unable to receive the Federal aid to obtain housing through the FHA. I think the intent and the direction that the gentleman is going to absolutely appropriate. I support his amendment.

I yield back the balance of my time.

Mr. EDWARDS of Texas. I yield back the balance of my time.

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

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

Mr. EDWARDS of Texas. Mr. Chair, I demand a recorded vote.

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

AMENDMENT NO. 13 OFFERED BY MR. MAFFEI

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 111–503.

Mr. MAFFEI. Mr. Chairman, I rise as the designee of Mr. ADLER to offer an amendment on behalf of Mr. ADLER and myself, and it is at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. MAFFEI:

At the end of the bill, add the following new section:

SEC. 16. PROHIBITION ON USE OF FUNDS FOR CERTAIN FEDERAL EMPLOYEES.

None of the funds authorized under this Act or any amendment made by this Act may be used to pay the salary of any individual engaged in activities related to title II of the National Housing Act who has been officially disciplined for violations of subpart G of the Standards of Ethical Conduct for Employees of the Executive Branch for viewing, downloading, or exchanging pornography, including child pornography, on a Federal Government computer or while performing official Federal Government duties.

The Acting CHAIR. Pursuant to House Resolution 1424, the gentleman from New York (Mr. MAFFEI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. MAFFEI. Mr. Chairman, I want to thank Chairman FRANK and Chairwoman WATERS for bringing this bill and my amendment to the floor.

We were all outraged when we learned that dozens of employees at the Securities and Exchange Commission were found to have been using their government-issued computers to view pornography. Some of these employees were senior staffers, earning as much as $222,000 a year. One SEC attorney in Washington, D.C., spent up to 8 hours a day watching pornography. An accountant in a regional office was denied access by the government firewall 16,000 times when he tried to access Web pages containing sexually explicit material.

Mr. Chairman, this behavior, these abuses are not just an abuse of government resources but also of the public trust. It undermines confidence in our institutions. It subjects the thousands of SEC and other government employees who work hard every day to a diminishment, and, simply put, it is outrageous and unacceptable.

This amendment is very simple. It simply says that if you are an FHA employee who is officially disciplined for viewing, downloading, or exchanging pornography, including child pornography, you lose your job. No private business in America would tolerate this kind of behavior, and there's no reason our government institutions should either.

Again, very, very simple. If you're caught and officially disciplined for viewing, downloading, or exchanging pornography, you lose your job. It's that simple.

This should not be a partisan issue, and I urge swift passage of this amendment.

I reserve the balance of my time.

Mrs. CAPITO. I rise to claim the time in opposition, although I am not opposed to the gentleman's amendment.

The Acting CHAIR. Without objection, the gentlewoman from West Virginia is recognized for 5 minutes.

There was no objection.

Mrs. CAPITO. I would just reiterate that the Congressman's amendment seeks to ensure that the employees hired by FHA as a result of funds made available in this bill are in good standing and not guilty of viewing any previous pornography or any related disciplinary measures.

As the gentleman said, I think all of us, and certainly throughout the country, were stunned to learn some of the statistics of certain government employees not only viewing inappropriate material, but the absolute, incredible waste of government resources and waste of time that these employees have engaged in.

So, I think it's right and proper, as this amendment moves forward, to ensure that we protect against those abuses in the future. I support the gentleman's amendment.

I yield back the balance of my time.

□ 1300

Mr. MAFFEI. Mr. Chairman, I want to thank the gentlewoman from West Virginia for her support of this amendment.

I again want to reiterate that thousands and thousands of workers at the Securities and Exchange Commission and other government agencies are extraordinarily hardworking, would never engage in this kind of behavior. And, in fact, the reason why this amendment is so important is to protect their reputation for the important jobs they do.

I yield back the balance of my time.

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

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

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

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

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 111–503 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. WATERS of California;

Amendment No. 5 by Mr. GARRETT of New Jersey;

Amendment No. 7 by Mr. PRICE of Georgia;

Amendment No. 9 by Mr. TURNER of Ohio;

Amendment No. 12 by Mr. EDWARDS of Texas;

Amendment No. 13 by Mr. MAFFEI of New York.

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

AMENDMENT NO. 1 OFFERED BY MS. WATERS OF CALIFORNIA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 417, noes 3, not voting 17, as follows:

[Roll No. 347]

AYES—417

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

NOES—3

Broun (GA)
Flake
Paul

NOT VOTING—17

Barrett (SC)
Davis (CA)
Davis (IL)
Eshoo
Faleomavaega
Harman
Hinojosa
Hoekstra
Inglis
Johnson (GA)
Kennedy
Kilpatrick (MI)
Lewis (GA)
McHenry
Olson
Putnam
Shuster

□ 1329

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

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

IN MEMORY OF CONGRESSMAN ARTHUR A. LINK

Mr. POMEROY. Mr. Chairman, last week, former Congressman Arthur A. Link who served in the 92nd Congress passed away. One week earlier, he celebrated his 96th birthday and 71st wedding anniversary with his beloved wife, Grace.

Mr. Link held elected office in North Dakota for 34 years, including the State legislature, in the Congress, and as Governor from 1973 to 1980. Not bad for someone with an 8th grade education who farmed and ranched in the sparsely populated northwestern part of our State. Art Link's importance to North Dakota is significant not just for his time in public office but for his 30 years of exemplary activity he and Grace spent after Governor, remaining deeply engaged in North Dakota activities.

He is remembered for his rock-solid values of integrity, decency, humility, and a deep sense that we are passing stewards of the land whose responsibility is to make certain things are in good shape for those who follow.

His philosophy is beautifully expressed in a short but unforgettable speech, ''When the Land is Quiet Again,'' and I will add to the RECORD this speech. I commend it to each of you, for the words have timeless relevance and seem especially pertinent given the events of these days.

[Speech given October 11, 1973]

WHEN THE LANDSCAPE IS QUIET AGAIN

(By Governor Arthur A. Link)

We do not want to halt progress.

We do not plan to be selfish and say ''North Dakota will not share its energy resource.''

No, we simply want to insure the most efficient and environmentally sound method of utilizing our precious coal and water resources for the benefit of the broadest number of people possible.

And when we are through with that and the landscape is quiet again, when the draglines, the blasting rigs, the power shovels and the huge gondolas cease to rip and roar!

And when the last bulldozer has pushed the last spoil pile into place, and the last patch of barren earth has been seeded to grass or grain, let those who follow and repopulate

the land be able to say, our grandparents did their job well.

The land is as good and, in some cases, better than before.

Only if they can say this will we be worthy of the rich heritage of our land and its resources.

I loved Art Link and can honestly say to each of you, this Chamber has never seen a more genuine, committed, and thoroughly decent Member.

Mr. Chairman, I ask the House to observe a moment of silence in honor of former Congressman and Governor Arthur A. Link.

The Acting CHAIR. Members will rise for a moment of silence.

AMENDMENT NO. 5 OFFERED BY MR. GARRETT OF NEW JERSEY

The Acting CHAIR. Without objection, 5-minute voting will continue.

There was no objection.

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 131, noes 289, not voting 17, as follows:

[Roll No. 348]

AYES—131

Akin	Flake	Miller (FL)
Alexander	Forbes	Minnick
Austria	Fortenberry	Mitchell
Bachmann	Foxx	Moran (KS)
Bachus	Franks (AZ)	Myrick
Bartlett	Garrett (NJ)	Neugebauer
Barton (TX)	Gingrey (GA)	Nunes
Bilirakis	Gohmert	Olson
Bishop (UT)	Goodlatte	Paul
Blackburn	Granger	Pence
Blunt	Graves	Petri
Boehner	Griffith	Pitts
Bonner	Hall (TX)	Platts
Bono Mack	Halvorson	Poe (TX)
Boozman	Harper	Price (GA)
Boustany	Hastings (WA)	Roe (TN)
Brady (TX)	Hensarling	Rogers (AL)
Broun (GA)	Herger	Rogers (MI)
Brown (SC)	Hunter	Rohrabacher
Burgess	Issa	Rooney
Burton (IN)	Jenkins	Ros-Lehtinen
Buyer	Johnson (IL)	Roskam
Camp	Johnson, Sam	Royce
Campbell	Jones	Ryan (WI)
Cantor	Jordan (OH)	Scalise
Carter	Kagen	Schmidt
Cassidy	King (NY)	Schock
Chaffetz	Kingston	Schrader
Coffman (CO)	Kirk	Sensenbrenner
Cole	Lamborn	Sessions
Conaway	Latta	Shadegg
Crenshaw	Linder	Shimkus
Culberson	Lucas	Smith (NE)
Davis (KY)	Luetkemeyer	Smith (TX)
Dent	Lummis	Smith (WA)
Diaz-Balart, L.	Mack	Stearns
Diaz-Balart, M.	Manzullo	Sullivan
Doggett	McCaul	Thompson (PA)
Dreier	McClintock	Thornberry
Duncan	McMorris Rodgers	Tiahrt
Emerson	Mica	Tiberi
Fallin		Upton
Walden	Westmoreland	Wilson (SC)
Wamp	Whitfield	Wolf

NOES—289

Ackerman	Giffords	Moran (VA)
Aderholt	Gonzalez	Murphy (CT)
Adler (NJ)	Gordon (TN)	Murphy (NY)
Altmire	Grayson	Murphy, Patrick
Andrews	Green, Al	Murphy, Tim
Arcuri	Green, Gene	Nadler (NY)
Baca	Grijalva	Napolitano
Baird	Guthrie	Neal (MA)
Baldwin	Gutierrez	Norton
Barrow	Hall (NY)	Nye
Bean	Hare	Oberstar
Becerra	Harman	Obey
Berkley	Hastings (FL)	Olver
Berman	Heinrich	Ortiz
Berry	Heller	Owens
Biggert	Herseth Sandlin	Pallone
Bilbray	Higgins	Pascrell
Bishop (GA)	Hill	Pastor (AZ)
Bishop (NY)	Himes	Paulsen
Boccieri	Hinchey	Payne
Bordallo	Hirono	Perlmutter
Boren	Hodes	Perriello
Boswell	Holden	Peters
Boucher	Holt	Peterson
Boyd	Honda	Pierluisi
Brady (PA)	Hoyer	Pingree (ME)
Braley (IA)	Inslee	Polis (CO)
Bright	Israel	Pomeroy
Brown, Corrine	Jackson (IL)	Posey
Brown-Waite, Ginny	Jackson Lee (TX)	Price (NC)
Buchanan	Johnson (GA)	Quigley
Calvert	Johnson, E. B.	Rahall
Cao	Kanjorski	Rangel
Capito	Kaptur	Rehberg
Capps	Kennedy	Reichert
Capuano	Kildee	Reyes
Cardoza	Kilroy	Richardson
Carnahan	Kind	Rodriguez
Carney	King (IA)	Rogers (KY)
Carson (IN)	Kirkpatrick (AZ)	Ross
Castle	Kissell	Rothman (NJ)
Castor (FL)	Klein (FL)	Roybal-Allard
Chandler	Kline (MN)	Ruppersberger
Childers	Kosmas	Rush
Christensen	Kratovil	Ryan (OH)
Chu	Kucinich	Sablan
Clarke	Lance	Salazar
Clay	Langevin	Sánchez, Linda T.
Cleaver	Larsen (WA)	Sanchez, Loretta
Clyburn	Larson (CT)	Sarbanes
Coble	Latham	Schakowsky
Cohen	LaTourette	Schauer
Connolly (VA)	Lee (CA)	Schiff
Conyers	Lee (NY)	Schwartz
Cooper	Levin	Scott (GA)
Costa	Lewis (CA)	Scott (VA)
Costello	Lewis (GA)	Serrano
Courtney	Lipinski	Sestak
Critz	LoBiondo	Shea-Porter
Crowley	Loebsack	Sherman
Cuellar	Lofgren, Zoe	Shuler
Cummings	Lowey	Simpson
Dahlkemper	Luján	Sires
Davis (AL)	Lungren, Daniel E.	Skelton
Davis (TN)	Lynch	Slaughter
DeFazio	Maffei	Smith (NJ)
DeGette	Maloney	Snyder
Delahunt	Marchant	Space
DeLauro	Markey (CO)	Speier
Deutch	Markey (MA)	Stark
Dicks	Marshall	Stupak
Dingell	Matheson	Sutton
Djou	Matsui	Tanner
Donnelly (IN)	McCarthy (CA)	Taylor
Doyle	McCarthy (NY)	Teague
Driehaus	McCollum	Terry
Edwards (MD)	McCotter	Thompson (CA)
Edwards (TX)	McDermott	Thompson (MS)
Ehlers	McIntyre	Tierney
Ellison	McKeon	Titus
Ellsworth	McMahon	Tonko
Engel	McNerney	Towns
Etheridge	Meek (FL)	Tsongas
Farr	Meeks (NY)	Turner
Fattah	Melancon	Van Hollen
Filner	Michaud	Velázquez
Fleming	Miller (MI)	Visclosky
Foster	Miller (NC)	Walz
Frank (MA)	Miller, Gary	Wasserman Schultz
Frelinghuysen	Miller, George	Waters
Fudge	Mollohan	Watson
Gallegly	Moore (KS)	Watt
Garamendi	Moore (WI)	Waxman
Gerlach		
Weiner	Wittman	Yarmuth
Welch	Woolsey	Young (AK)
Wilson (OH)	Wu	Young (FL)

NOT VOTING—17

Barrett (SC)	Faleomavaega	McHenry
Blumenauer	Hinojosa	Putnam
Butterfield	Hoekstra	Radanovich
Davis (CA)	Inglis	Shuster
Davis (IL)	Kilpatrick (MI)	Spratt
Eshoo	McGovern	

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1340

Messrs. DELAHUNT and MORAN of Virginia changed their vote from ''aye'' to ''no.''

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. WILSON of South Carolina was allowed to speak out of order.)

IN HONOR OF REV. EDDIE LEE CARTER

Mr. WILSON of South Carolina. Today, I rise to recognize Rev. Eddie Lee Carter on the occasion of his retirement from serving here in the House where since 2004 Rev. Carter has been repairing and shining shoes.

Rev. Eddie Lee Carter and I have a shared heritage. He was born at Beech Island, South Carolina, and my grandfather was born at Beech Island, in Aiken County, South Carolina. At a very young age, his family moved to Augusta, Georgia, which was nearby, and he attended elementary school with the world-famous musician James Brown, another great South Carolinian.

Rev. Carter first began to work on shoes as a young man, even before he joined the Army in 1953. Rev. Carter was stationed primarily in Germany while serving in the Army. A musician himself, he was renowned for singing and entertaining generals when they passed through the post. In 1955, Rev. Carter left the Army with the rank of corporal and later moved to Washington from Augusta to work at Stern Shoe Repair.

In 1992, he was ordained a Methodist minister. On June 7, 2004, Rev. Carter came to work at the U.S. Capitol repairing and shining shoes. He currently lives at Fort Washington, Maryland, with his wife, Molly Anthony Carter. They have been married for 28 years. He has a son, and Mrs. Carter has two sons. On Friday, he plans to retire to spend more time with the congregation.

Personally, I will always remember Rev. Carter's cheerfulness and encouragement, his quiet reading of the Bible, and his proud wearing of U.S.-South Carolina flag pin.

Godspeed, Rev. Carter.

AMENDMENT NO. 7 OFFERED BY MR. PRICE OF GEORGIA

The Acting CHAIR. Without objection, 5-minute voting will continue.

There was no objection.

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 106, noes 316, not voting 15, as follows:

[Roll No. 349]

AYES—106

Akin
Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Boustany
Brady (TX)
Broun (GA)
Burgess
Burton (IN)
Buyer
Camp
Cantor
Capito
Carter
Cassidy
Castle
Chaffetz
Coffman (CO)
Conaway
Crenshaw
Culberson
Davis (KY)
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Emerson
Flake
Fleming
Fortenberry
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey (GA)
Gohmert
Granger
Graves
Griffith
Hall (TX)
Harper
Hastings (WA)
Hensarling
Herger
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
Kingston
Lamborn
Latta
Linder
Luetkemeyer
Lummis
Mack
Marchant
McCaul
McClintock
McMorris Rodgers
Miller (FL)
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Pence
Petri
Pitts
Poe (TX)
Price (GA)
Rangel
Roe (TN)
Rogers (AL)
Rogers (MI)
Rooney
Ros-Lehtinen
Royce
Ryan (WI)
Scalise
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Smith (TX)
Stearns
Thompson (PA)
Thornberry
Tiahrt
Upton
Westmoreland
Whitfield
Wilson (SC)
Young (AK)

NOES—316

Ackerman
Aderholt
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boccieri
Bono Mack
Boozman
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Calvert
Campbell
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Deutch
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Etheridge
Fallin
Farr
Fattah
Filner
Forbes
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gonzalez
Goodlatte
Grayson
Green, Al
Green, Gene
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lungren, Daniel E.
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nye
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Pierluisi
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Quigley
Radanovich
Rahall
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Rogers (KY)
Rohrabacher
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schmidt
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NOT VOTING—15

Barrett (SC)
Davis (CA)
Davis (IL)
Eshoo
Faleomavaega
Garamendi
Gordon (TN)
Hinojosa
Hoekstra
Inglis
Kilpatrick (MI)
Manzullo
McHenry
Putnam
Shuster

□ 1350

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. MANZULLO. Madam Speaker, on Thursday, June 10, 2010, I inadvertently missed this vote. I would have recorded a "no" vote on rollcall No. 349.

AMENDMENT NO. 9 OFFERED BY MR. TURNER

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 121, noes 301, not voting 15, as follows:

[Roll No. 350]

AYES—121

Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Boustany
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Camp
Cantor
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Conaway
Crenshaw
Davis (KY)
Davis (TN)
Diaz-Balart, L.
Diaz-Balart, M.
Doggett
Duncan
Emerson
Flake
Fleming
Fortenberry
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey (GA)
Goodlatte
Granger
Graves
Griffith
Harper
Hastings (WA)
Hensarling
Herger
Herseth Sandlin
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
Kingston
Kirkpatrick (AZ)
Kissell
Kline (MN)
Lamborn
LaTourette
Latta
Linder
Loebsack
Luetkemeyer
Mack
Marchant
Marshall
McCaul
McClintock
McCotter
McMorris Rodgers
Melancon
Miller (FL)
Minnick
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Olson
Paul
Paulsen
Pence
Perriello
Petri
Pitts
Poe (TX)
Posey
Price (GA)
Rehberg
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Smith (TX)
Stearns
Sullivan
Sutton
Teague
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Wamp
Wilson (SC)
Young (AK)

NOES—301

Ackerman
Aderholt
Adler (NJ)
Akin
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boccieri
Bono Mack
Boozman
Bordallo
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Calvert
Campbell
Cao
Capps
Capuano
Cardoza
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Christensen
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Deutch
Dicks
Dingell
Djou
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison

Ellsworth
Engel
Etheridge
Faleomavaega
Fallin
Farr
Fattah
Filner
Forbes
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Heller
Higgins
Hill
Himes
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilroy
Kind
King (NY)
Kirk
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Luján
Lummis
Lungren, Daniel E.
Lynch
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Norton
Nunes
Nye
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Peterson
Pierluisi
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Price (NC)
Quigley
Radanovich
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rohrabacher
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sablan
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Tanner
Taylor
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NOT VOTING—15

Barrett (SC)
Carnahan
Davis (CA)
Davis (IL)
Eshoo
Garamendi
Gohmert
Hinojosa
Hoekstra
Inglis
Kilpatrick (MI)
McHenry
Putnam
Schrader
Shuster

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1357

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 12 OFFERED BY MR. EDWARDS OF TEXAS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 420, noes 4, not voting 13, as follows:

[Roll No. 351]

AYES—420

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

NOES—4

Filner
Nadler (NY)
Paul
Scott (VA)

NOT VOTING—13

Barrett (SC)
Davis (CA)
Davis (IL)
Eshoo
Hinojosa
Hoekstra
Inglis
Kilpatrick (MI)
Lofgren, Zoe
McCarthy (NY)
McHenry
Putnam
Shuster

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1404

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 13 OFFERED BY MR. MAFFEI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. MAFFEI) on which further proceedings

were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 416, noes 0, answered ''present'' 1, not voting 20, as follows:

[Roll No. 352]

AYES—416

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

ANSWERED ''PRESENT''—1

Edwards (MD)

NOT VOTING—20

Barrett (SC)
Davis (CA)
Davis (IL)
Delahunt
Eshoo
Giffords
Gordon (TN)
Gutierrez
Hinojosa
Hoekstra
Inglis
Kilpatrick (MI)
Lofgren, Zoe
McHenry
Putnam
Sessions
Shuster
Smith (TX)
Stark
Wu

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1410

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WEINER) having assumed the chair, Mr. CUELLAR, Acting Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5072) to improve the financial safety and soundness of the FHA mortgage insurance program, pursuant to House Resolution 1424, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

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

The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

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

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

MOTION TO RECOMMIT

Mr. LEE of New York. Mr. Speaker, I have a motion to recommit at the desk.

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

Mr. LEE of New York. In its current form.

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

The Clerk read as follows:

Mr. Lee of New York moves to recommit the bill, H.R. 5072, to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following new sections:

SEC. 16. PROHIBITION OF MORTGAGE INSURANCE FOR BORROWERS WITH STRATEGIC DEFAULTS.

Section 203 of the National Housing Act (12 U.S.C. 1709), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

''(z) PROHIBITION OF MORTGAGE INSURANCE FOR BORROWERS WITH STRATEGIC DEFAULTS.—

''(1) PROHIBITION.—The Secretary may not newly insure any mortgage under this title that is secured by a 1- to 4-family dwelling unless the mortgagee has determined, in accordance with such standards and requirements established by the Secretary, that the mortgagor under such mortgage has not previously engaged in any strategic default with respect to any residential mortgage loan.

''(2) STRATEGIC DEFAULT.—For purposes of this subsection, the term 'strategic default' means, with respect to a residential mortgage loan, an intentional default having such characteristics or under such circumstances as the Secretary shall, by regulation, provide.''.

SEC. 17. PROHIBITION ON TAXPAYER BAILOUT OF FHA PROGRAM.

Section 205 of the National Housing Act (12 U.S.C. 1711), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

''(h) TAXPAYER PROTECTION.—The Secretary shall use all available actions and methods authorized under law to ensure compliance with subsection (f)(2) and to protect the taxpayers of the United States from

financial responsibility for any obligations of the Fund, including authority to increase insurance premiums charged under this title for mortgages that are obligations of the Fund, authority to establish more stringent underwriting standards for such mortgages, and authority to increase the amount of cash or its equivalent required to be paid on account of the property subject to such a mortgage.''.

Mr. LEE of New York (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

Ms. WATERS. I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue to read.

The Clerk continued to read.

□ 1415

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

Mr. LEE of New York. Mr. Speaker, the underlying bill that we have been considering today is an important one, and I support the provisions that are included in H.R. 5072, the FHA Reform Act of 2010. It gives HUD new tools that will allow the FHA to protect taxpayers against fraudulent or poorly underwritten and insured loans.

The goal of H.R. 5072 is for HUD to begin the process of putting FHA back on the road to a program that has adequate capital in reserve to weather whatever problems it encounters down the road. However, H.R. 5072 is not a cure-all. We can do more to ensure that American taxpayers are better protected.

During the past 2 years, FHA's market share has significantly increased from less than 5 percent to more than 30 percent. As FHA's market share has increased, taxpayer exposure has continued to grow day by day. That is why we must do everything we can to ensure that the program is being run in a safe and sound manner and that the taxpayers will not be asked to pay for yet another government bailout.

The motion does two important things. First, it prohibits the FHA from insuring loans from borrowers who have strategically defaulted on previous loans. Second, it prohibits a taxpayer bailout of the FHA program.

According to a study by Experian and management consulting firm Oliver Wyman, from 2007 to 2008, the number of strategic defaults more than doubled to 588,000, and a separate 2009 survey found that more than a quarter of all existing defaults were strategic.

Meanwhile, there are lawyers, scam artists and opportunists touting the financial benefits of walking away from a mortgage and offering to help you do that for a fee. Not a day goes by that we don't read another news article about folks who are making calculated decisions to stop paying their mortgages even though they still have the ability to pay. We are not talking about those families who have fallen on hard times or who simply can no longer afford to make their payments. We are talking about this new trend of people who voluntarily choose to stop paying their mortgages even though they still have the ability to pay.

While these decisions should ultimately be left to the individual, we should put in place more stringent penalties to discourage this irresponsible behavior. If borrowers make decisions to strategically default on their loans, they certainly should not be allowed to benefit from a government-subsidized program.

This motion makes it clear: if you can afford to pay your mortgage and choose not to, you will no longer be eligible to secure an FHA mortgage. This motion calls on the Secretary of HUD to define strategic default and to work with lenders to identify and to prevent borrowers from participating in the FHA program.

This motion also prohibits a taxpayer bailout of the FHA program by requiring HUD to use all available methods at its disposal to ensure that the program is properly capitalized and that the taxpayer is protected, ensuring that mortgage applicants have truly enough skin in the game.

As Ranking Member BACHUS said in yesterday's motion to instruct conferees on the financial regulatory reform conference, it is time to end bailouts once and for all. Whether it is $145 billion for Fannie and Freddie or another $60 billion for AIG, Chrysler and GM, the American public has suffered enough from bailout fatigue.

This motion to recommit ensures that the FHA uses its existing authorities to ensure that the program does not need an appropriation and that taxpayers are protected.

While the underlying legislation makes significant improvements to the FHA program and goes a long way to providing HUD with the tools it will need to improve the financial condition of the FHA program, these additional prohibitions on strategic default borrowers and on taxpayer bailouts will ensure that the FHA program stays on a solid financial path and that American taxpayers will be protected from yet another bailout.

I urge the adoption of this motion, and I yield back the balance of my time.

Mr. FRANK of Massachusetts. I rise to speak on the motion.

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

Mr. FRANK of Massachusetts. I don't know yet.

The SPEAKER pro tempore. Without objection, the gentleman from Massachusetts is recognized for 5 minutes.

There was no objection.

Mr. FRANK of Massachusetts. Well, I was disappointed that my colleague on the Financial Services Committee wouldn't observe the tradition that we have of yielding to each other. If he had, I could have saved the Members a lot of time because I am going to urge people to vote for it.

I will say that it might need a word or two of improvement. If it had, in fact, been offered at the Financial Services Committee, either provision, we could have accepted it then, but then Members wouldn't have had a chance to make dramatic speeches on the floor, so I suppose that explains why we had to go through this.

I urge adoption of the amendment of the recommittal motion, and I yield back the balance of my time.

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

There was no objection.

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

The motion to recommit was agreed to.

Mr. FRANK of Massachusetts. Mr. Speaker, pursuant to the instructions of the House in the motion to recommit, I report the bill, H.R. 5072, back to the House with an amendment.

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

The Clerk read as follows:

Amendment offered by Mr. FRANK of Massachusetts:

At the end of the bill, add the following new sections:

SEC. 16. PROHIBITION OF MORTGAGE INSURANCE FOR BORROWERS WITH STRATEGIC DEFAULTS.

Section 203 of the National Housing Act (12 U.S.C. 1709), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

''(z) PROHIBITION OF MORTGAGE INSURANCE FOR BORROWERS WITH STRATEGIC DEFAULTS.—

''(1) PROHIBITION.—The Secretary may not newly insure any mortgage under this title that is secured by a 1- to 4-family dwelling unless the mortgagee has determined, in accordance with such standards and requirements established by the Secretary, that the mortgagor under such mortgage has not previously engaged in any strategic default with respect to any residential mortgage loan.

''(2) STRATEGIC DEFAULT.—For purposes of this subsection, the term 'strategic default' means, with respect to a residential mortgage loan, an intentional default having such characteristics or under such circumstances as the Secretary shall, by regulation, provide.''.

SEC. 17. PROHIBITION ON TAXPAYER BAILOUT OF FHA PROGRAM.

Section 205 of the National Housing Act (12 U.S.C. 1711), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

''(h) TAXPAYER PROTECTION.—The Secretary shall use all available actions and methods authorized under law to ensure compliance with subsection (f)(2) and to protect the taxpayers of the United States from financial responsibility for any obligations of the Fund, including authority to increase insurance premiums charged under this title for mortgages that are obligations of the Fund, authority to establish more stringent underwriting standards for such mortgages, and authority to increase the amount of cash or its equivalent required to be paid on account of the property subject to such a mortgage.''.

Mr. FRANK of Massachusetts (during the reading). I ask unanimous consent that the reading be dispensed with.

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

There was no objection.

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

The amendment was agreed to.

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

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

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on passage will be followed by a 5-minute vote on suspension of the rules with regard to S. 3473.

The vote was taken by electronic device, and there were—ayes 406, noes 4, not voting 21, as follows:

[Roll No. 353]

AYES—406

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

NOES—4

Broun (GA)
Flake
Honda
Paul

NOT VOTING—21

Barrett (SC)
Berman
Costa
Davis (CA)
Davis (IL)
Delahunt
Eshoo
Hensarling
Hinojosa
Hoekstra
Inglis
Kilpatrick (MI)
Lummis
Marshall
McHenry
Obey
Peterson
Putnam
Roe (TN)
Shuster
Welch

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1439

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ROE of Tennessee. Mr. Speaker, on rollcall No. 353 I was unavoidably detained. Had I been present, I would have voted "yes."

Mr. COSTA. Mr. Speaker, on rollcall No. 353, had I been present, I would have voted "yes."

OIL SPILL LIABILITY TRUST FUND

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 3473) to amend the Oil Pollution Act of 1990 to authorize advances from Oil Spill Liability Trust Fund for the Deepwater Horizon oil spill, 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 Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 0, answered ''present'' 1, not voting 20, as follows:

[Roll No. 354]

YEAS—410

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene

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

ANSWERED ''PRESENT''—1

Shea-Porter

NOT VOTING—20

Bachmann
Barrett (SC)
Buchanan
Buyer
Davis (CA)
Davis (IL)
Delahunt
Eshoo
Hinojosa
Hoekstra
Inglis
Kilpatrick (MI)
Linder
McHenry
Miller, Gary
Obey
Posey
Putnam
Shuster
Waxman

□ 1447

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. DAVIS of California. Mr. Speaker, on Thursday, June 10, 2010, I was attending to a family matter and missed the following votes.

Had I been present, I would have voted: ''yea'' on rollcall No. 347; ''no'' on rollcall No. 348; ''no'' on rollcall No. 349; ''no'' on rollcall No. 350; ''yea'' on rollcall No. 351; ''yea'' on rollcall No. 352; ''yea'' on rollcall No. 353; ''yea'' on rollcall No. 354.

PERSONAL EXPLANATION

Ms. KILPATRICK of Michigan. Mr. Speaker, I was unable to attend to several votes today. Had I been present, I would have voted ''aye'' on rollcall 347; ''nay'' on rollcall 348; ''nay'' on rollcall 349; ''nay'' on rollcall 350; ''aye'' on rollcall 351; ''aye'' on rollcall 352; ''aye'' on rollcall 353 and ''aye'' on rollcall 354.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 5072, FHA REFORM ACT OF 2010

Ms. WATERS. Mr. Speaker, I ask unanimous consent that in the engrossment of H.R. 5072, the Clerk be authorized to correct section numbers, punctuation, and cross-references, and to make such other technical and conforming changes as may be necessary to accurately reflect the actions of the House.

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

There was no objection.

GENERAL LEAVE

Ms. WATERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and insert extraneous material on the subject of the passing of the Honorable Art Link.

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

There was no objection.

CONGRATULATING CLINTON COUNTY, OHIO

The SPEAKER pro tempore (Mr. BRIGHT). The unfinished business is the question on suspending the rules and agreeing to the resolution (H. Res. 1121) congratulating Clinton County and the county seat of Wilmington, Ohio, on the occasion of their bicentennial anniversaries.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. CHU) that the House suspend the rules and agree to the resolution.

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.

LEGISLATIVE PROGRAM

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

Mr. CANTOR. Mr. Speaker, I yield to the gentleman from Maryland, the majority leader, for the purposes of announcing next week's schedule.

Mr. HOYER. I thank the gentleman for yielding.

On Monday, the House will meet at 12:30 p.m. for morning-hour debate and 2 p.m. for legislative business, with votes postponed until 6:30 p.m.

On Tuesday, the House will meet at 9 a.m. for morning-hour debate and 10 a.m. for legislative business and recess immediately for the Former Members Association annual meeting. The House will reconvene at approximately 11:30 a.m.

On Wednesday and Thursday, the House will meet at 10 a.m. for legislative business.

On Friday, the House will meet at 9 a.m. for legislative business.

We will consider several bills under suspension of the rules. The complete list of all suspension bills will be announced, as is the custom, by the close of business tomorrow.

In addition, we will consider H.R. 5297, the Small Business Lending Fund Act of 2010; and possibly H.R. 5175, the DISCLOSE Act; and, again, possible action on H.R. 4899, the Supplemental Appropriations Act of 2010.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, I would ask the gentleman, in addition to next week's schedule, can the gentlemen tell us what he expects to consider on the floor between now and the July 4 recess beyond next week?

Mr. HOYER. In addition to the legislation I have announced for next week—the Small Business Lending Act, the DISCLOSE Act, and the supplemental—we will also consider in the future a Wall Street reform conference report.

As the gentleman knows, the conference is having its first session today as an open conference, full participation. I expect that to hopefully conclude within the next few weeks, perhaps sooner. And I expect to have that bill on the floor and to the President by the July 4 break.

In addition to that, we have the American Jobs and Closing Tax Loopholes Act, which is being considered by the Senate now. We passed this bill, as

you know, 2 weeks ago. The Senate, however, had left town, and they could not take action to extend unemployment benefits and to preclude cuts to Medicare payments to ensure seniors would get their doctors. I know the Senate is now working on this bill. And if they amend it, we will look at that and see what House action might be necessary.

In addition, we are looking at a budget resolution. We are still working with Chairman SPRATT on a budget resolution that shows we have cognizance of the concerns that all of our Members have, A, about the deficit and also about constraining spending. As the gentleman knows, the President has sent to us a budget that for nondefense, nonsecurity spending is frozen not only for this year but for 2 years to come. So we are considering that.

In addition, the gentleman and I have been working very hard on Iran sanctions. I was at the White House today. I congratulated the President on the administration's success in having passed through the Security Council the Iran sanctions legislation. It is good legislation. Hopefully, all nations will abide by it, have its impact.

On the other hand, I think the gentleman and I both agree there need to be additional efforts made. We urge the Europeans, who will be meeting shortly, to do the same and hopefully have an even stronger resolution.

And then it's my expectation—I have talked to Mr. BERMAN, and I know you have talked to Ms. ROS-LEHTINEN—my hope is that we will have—and my request, more than a hope, my request is that the conference report be brought to the floor the week of the 21st. And I have indicated that that is my expectation.

I want to also congratulate Ambassador Susan Rice for the job that she did in drafting the resolution that was adopted and successfully passing it yesterday. I am looking forward to working with the gentleman.

In addition to that, as you know, we have a supplemental that we want to have considered. We need to fund our troops that are in harm's way and make sure they have the resources necessary to carry out the mission they have been given. And I expect the supplemental to be on the floor possibly as early as next week. I would hope that we could get it that early, but certainly I expect it to pass before we leave.

It is my understanding that funding is available into July so that we have some flexibility, but my view is that we will pass it. And I will be pushing very hard to pass the supplemental, make sure our troops are funded. And I would hope that we could work on that on a bipartisan basis.

That is not all that will be done, but those are the significant parts of what I expect the agenda to be for the next 3 weeks.

Mr. CANTOR. I thank the gentleman.

I specifically, Mr. Speaker, want to thank the gentleman for his efforts on behalf of trying to get a resolution out of the conference committee on the Iran sanctions bill—again, as he says, Mr. Speaker, something that he and I have worked on for some time now. I thank him for his commitment to that and working on that.

I would also ask the gentleman if any of the reports that I have heard about a possible resolution having to do with the flotilla, in terms of the actions that occurred, that Israel undertook to defend itself in interdicting the ship on the alleged mission of aid that it was claiming to be on, and whether we can expect any resolution along those lines in support of our ally Israel.

Mr. HOYER. I thank the gentleman for his question.

As I am sure most people know, the gentleman and I agreed—I made a statement on the floor last night, and I made a statement immediately after—Israel, like any other nation in the world that is assaulted by a terrorist organization that wants its demise, wants to kill its people and push it from its country, any nation on Earth, including ours, would defend itself. That is what they did.

They gave 2 weeks' notice, of course, as the gentleman knows, to the Turks and to the individuals who were undertaking this so-called humanitarian mission.

And I might say that the gentleman and I share a humanitarian concern about the plight of the Palestinian people. Unfortunately, they are ill-served by some of those who have, by force, taken over their leadership in Gaza.

But Israel did what any nation would do. It gave notice and said, if you will deliver those to Ashdod, the port, we will offload the humanitarian material and make sure that it's delivered to its recipients, not to a terrorist organization that would use it for purposes of terror and attacks on civilians, but use it for the purposes of relieving those in some distress.

I would point out, as the gentleman well knows, international reports are that, in fact, there are sufficient food and medicine in Gaza today. It is my view that that mission, in effect, accomplished its objective, and its objective was to create confrontation and to put at risk the security of Israel and its people.

So that the answer to your question is that I have talked to Mr. BERMAN and I want to talk to you, as well, so that we can determine what is the best course of action for us to take.

Mr. CANTOR. Mr. Speaker, I thank the gentleman for his continued commitment and share with him the commitment to strengthen the alliance between ourselves in the United States and Israel in the continuing struggle that all of us have in terms of pushing back against the terrorist threat, state sponsors of terror and their proxies in the Middle East, and as they pose the existential threats to our ally Israel as well as U.S. interests in the region. So I look forward to working with him on that.

Mr. Speaker, I would go back to the gentleman's statements with regards to financial regulation and a conference report. I know there has been a lot of indication, especially on the part of Chairman FRANK, about the willingness to be open and make sure that C–SPAN cameras are there so the public can understand and have access.

I was somewhat alarmed, though, with the statements made by the chairman, as reported in the press, when he said, ''Some negotiations will take place more publicly than others,'' and just wanted the gentleman to assure us that there will be no negotiations ongoing without having the light of cameras on and/or at least a fair hearing among Members of both parties.

□ 1500

Mr. HOYER. I thank the gentleman for his question.

None of us want to commit to not talking to one another privately, I think. I think that's what the chairman was referring to. I am sure he and Mr. DODD will speak. I am sure that he and the gentleman from Alabama, the ranking Republican, Mr. SHELBY, may be speaking. The chairman and I both served with Mr. SHELBY, and I am sure that there will be discussions with the ranking Republican from our side.

That may not be in the context of the conference itself where there will be cameras, where there will be an open opportunity to offer amendments and fully debate and discuss various options. Frankly, I've not been too pleased personally with the fact that we don't have a lot of conferences. I think conferences are good. I think they accomplish a worthy objective of bringing reconciliation between the two Houses and frankly giving an opportunity for each perspective that's represented on the conference to be articulated. And I think this will be, from that standpoint, a model conference.

And I think Mr. FRANK does intend, as he has said, to have an open conference with full debate and voting in the light of day on various different proposals.

Mr. CANTOR. I thank the gentleman for that.

In that spirit, Mr. Speaker, of wanting to try to work together in a civil manner and to try to get the work of the people done, the gentleman mentioned the war supplemental for scheduling perhaps next week. And obviously we continue to be concerned, Mr. Speaker, on the part of our Members, their constituents, about the involvement, openness of discussion, debate around the issue of the spending in the supplemental bill to fund our troops.

And this is actually, Mr. Speaker, a bill we can work on together. And the gentleman indicates that that bill may be coming to the floor. And I would ask the gentleman should we expect that bill to go through the appropriations committee before it comes to the floor to allow for that open input, that collaboration to result in a better bill

that would reflect the will of the American people?

And I yield.

Mr. HOYER. I thank the gentleman for yielding.

I have not discussed specifically what actions Mr. OBEY—Mr. OBEY is looking at the supplemental. It was sent over to us. And he's discussing it with the various subcommittee chairs, I know. I don't know whether he's discussed it with Mr. LEWIS at this point in time. But I do know that, as you know, he had a markup scheduled on our supplemental the week before we left. That was canceled, so it didn't go forward; and then the Senate passed its bill.

But I would certainly hope that your side has input on what they want, what you want, what you think ought to be in there. Obviously, we want to respond to some of the crisis not only offshore in Iraq—well, this is mainly Afghanistan and Pakistan as the gentleman knows, but my belief is Mr. OBEY will want to have input as well.

So I can't give you specifically because Mr. OBEY has not indicated to me at this point in time what his specific plans are. But I understand the gentleman's interest.

Mr. CANTOR. I thank the gentleman for that, Mr. Speaker, and I would indicate that having spoken with the appropriators that Mr. LEWIS has not heard from Mr. OBEY on that, and we will wait to hear, and I am sure he's anxiously awaiting.

Mr. Speaker, I would also like to ask the gentleman about the budget and what we can expect as far as the budget having now been in June, there having been no budget, and can we expect a markup in the Budget Committee prior to our leaving for the July 4 recess?

I yield.

Mr. HOYER. I thank the gentleman for yielding.

As you know, Mr. SPRATT and I and others have been working on this for many months now to try to see if there is a budget that can garner majority support. There was some indication, I will tell the gentleman—he's usually at the White House with us. He wasn't with us today. But Mr. CANTOR is usually joining us at the White House in our meetings with the President.

But the fact is that the Senate Republican leader indicated he'd like to see some bipartisan agreement, at least on spending levels and observed that he thought the spending levels the President had sent down for our consideration were—he would like to see a lower number but he appreciated the fact that that number was sent down and was a constraint on spending, in fact, froze non-defense, non-security spending at last year's levels and did so for a number of years. So I made the observation at that point in time that I was hopeful that we in fact could perhaps reach some bipartisan agreement. I will be discussing with the gentleman probably early next week that possibility.

But I will tell you that Mr. SPRATT continues to work very, very hard at trying to see if he can come up with a budget resolution that reflects something that can get agreement.

I want to tell the gentleman that one of the problems we have, as the gentleman knows, is we have created a situation of where the budget will have some very tough numbers on it. They are realistic numbers. They are the numbers. They are what they are. We are where we are. As the gentleman knows, I believe that we need to work very, very hard to get back to the place where we were when we started in 2001 when we had a balanced budget and a surplus projected.

I would call attention to a statement of Doug Holtz-Eagen, as I am sure the gentleman knows, who was with the last administration and indicated that this budget would have occurred under Senator MCCAIN as well no matter what he did. We inherited an extraordinarily depressed economy, an exploding deficit and a substantial decrease in revenues. So we have an extraordinarily difficult situation that we've inherited that we're trying to deal with.

The President, as you know, has appointed a commission to try to deal with that. We put in place statutory PAYGO to try to constrain spending so that we can get back to where I said we were in 4 years before the Bush administration where we had 4 years of surplus. And, regrettably, we're not there now; but we're working on it.

Mr. CANTOR. I thank the gentleman for that. And he knows where I stand on that issue and where our side is continuing to want to see a budget, just like most of the American people are having to do every day is come up with a budget of how they can make their businesses work and their families make it through the month. So I appreciate that spirit with which the gentleman offers that.

Mr. Speaker, I would say to the gentleman that I read an article in Roll Call this week that had to do with these colloquies that somehow indicated that the gentleman and I were unable to come to the floor and to ''play nice together.'' I will say I know the gentleman doesn't take any of this personally, nor do I, because I enjoy coming to the floor to debate substance and policy in these colloquies, something that, frankly, is not done often enough in this House, but as it relates to the priorities that the majority has as reflected through its scheduling abilities.

And in fact, again, Mr. Speaker, this House doesn't do nearly enough of this kind of exchange of opinion to ferret out how we can come to some agreement.

So I know that the gentleman shares in that spirit as we engage, specifically as that article points to, over our differences, our differences about the priority of cutting spending now. And I know the gentleman does know, as I value, the opportunities to work with him on issues as we have just discussed having to do with the promotion of the U.S. security in the Middle East as it plays out through our ally Israel. I enjoy the working relationship that we have had on that issue; the issue around the Iran sanctions resolution, as well as he knows. As well we've worked together well on the issue of Puerto Rico statehood. So there is that history.

But I would say again there are going to be times where we do disagree. And there is, frankly, some disagreement that our side has with what the majority does in terms of scheduling, and that is its priorities on cutting spending.

We have become very frustrated that we have no other vehicle to speak out as to the priorities of the majority other than our response to the scheduling. And these colloquies are focused on priorities the majority has as far as how it schedules this floor.

We have become very frustrated as well, Mr. Speaker, that every time we begin even to hint at a desire to bring spending cuts to the floor, that somehow we need a lecture on the last couple decades as to what's happened in this country from a fiscal standpoint. As the gentleman knows, I'm the first one to offer up some contrition. Yes, our side is to blame as much as the other side for bringing us to this point.

But none of that has anything to do with scheduling for the next week or the week thereafter. And what my aim is, and hopefully the gentleman knows, in engaging in these discussions is to say, please allow us to bring up some of the issues that the American people want us to do, which is to stop the spending now.

And as the gentleman knows, we have launched on the Republican side of the aisle a program called YouCut, and frankly we have seen some bipartisan support of programs under YouCut. We have seen the administration take on an announcement today a proposal in YouCut to sell excess Federal property.

We want this to be a bipartisan issue. And as the gentleman has reminded me, as he said in the article, this is a colloquy based on scheduling.

So, Mr. Speaker, I would say that the minority, the Republicans in this House, intend on bringing to the House floor another YouCut vote next week. And it will be one of five options that the public will be voting on and has begun already. And we are well over 700,000 votes in YouCut on a 3-week period. And, Mr. Speaker, I think that indicates some real intensity behind the public wanting this House to finally stop spending now.

So we will, Mr. Speaker, be bringing to the floor a vote either on the attempt to sell excess Federal property, which is a $15 billion savings; a provision to terminate a Federal bike and walking program, that's another $1.8 billion; terminate a Federal truck

parking program, $62.5 million; terminate a funding for private bus companies, $120 million; or a proposal to terminate the Ready to Learn TV program at $270 million of savings.

And I would say, Mr. Speaker, to the gentleman the purpose of our bringing these to the floor is, first of all, to reflect the will of the American people to cut now, to go forward, to admit we are in a real tough situation fiscally in this country. We're at a crossroads. We've got to start changing the culture here in Washington.

So I would say to the gentleman that is the purpose as well as, Mr. Speaker, we have no other alternative unless the majority would schedule actual spending cuts for this debate and vote on the House floor.

I would also say to the gentleman, Mr. Speaker, these votes will occur, and we will proffer these each week. This will begin to amass a record on which Member supports spending cuts now and which doesn't. We have already demonstrated a commitment on this side of the aisle, as well as some on the gentleman's side of the aisle, to cut $85 billion over the last three votes in YouCut and will continue to do that each week.

And I would hope that the gentleman could join us in reflecting the priorities that our constituents are asking us to put forward, and that is to get the Federal deficit under control.

□ 1515

So with that, Mr. Speaker, I would thank the gentleman for his time and will yield to him for a response.

Mr. HOYER. I thank the gentleman for yielding.

I want to tell my friend that I don't seek contrition. I do seek reconsideration of policies that have not worked, of policies that were projected to grow the economy, bring the deficit down and make us a healthier, wealthier country. Frankly, the policies that we pursued in 2001 through 2006, and actually through 2009 because we couldn't change policy although we were in charge of the House and the Senate, we couldn't override a Presidential veto—again, not contrition, but recognition that the policies did not work.

Benjamin Franklin said, It's not a good thing to be penny wise and pound foolish. I tell my friend that he and his colleagues from 2001 and 2006—I think he voted for each one of these—voted for over $2 trillion in unfunded spending. That is the real problem.

The gentleman is probably prepared to support, as I am—he and I will probably vote together, I hope, on a supplemental that provides for funding our troops. That won't be paid for. We will expect our children and grandchildren to pay for that. Mr. OBEY has suggested a tax to pay for this war. If it is worth fighting, if it's worth protecting this generation, it is worth paying for. I tend to agree with that.

As the gentleman knows, I'm a lot older than he is. I have three grandchildren, and I have a great-granddaughter. Tragically, history tells us that my grandchildren and my children are going to have their challenge from a security standpoint, from a health standpoint, from a natural disaster standpoint as we have today, and they're going to have to have resources to respond to that.

I don't criticize the gentleman and I applaud him for asking the American public what we all ought to ask the American public, what do you think we ought to cut. The fact of the matter is that your side, your ranking member, has prepared a budget. As I've told you before, I think it's a budget with a great deal of integrity, great deal of political courage, and the gentleman's indicated it's a 75-year budget. It's a budget that affects today, tomorrow, but yes, it has a vision. I applaud Mr. RYAN. As you know, I'm a big fan of Mr. RYAN's. I don't agree with Mr. RYAN, but I don't have to agree with somebody to have great respect for their intellect and their political courage and their willingness to be real, to put something on the table that really will make a difference.

My side, for the most part, doesn't agree with his treatment of Social Security, Medicare, and some other things. But I asked the gentleman last time if he wants me to put that budget on the floor with whatever we put on the floor on our side so that both of those can be considered. We're prepared to do that.

But my friend, I will tell you, I'm not looking, as I said before, for contrition. I am looking for recognition that we need to work together and be honest. Be honest with those American people that you're asking questions to. The items you put on your list are worthy of consideration, but they will not get us to where we need to get.

As Mr. Eakin, who was one of MCCAIN's advisers, former Republican director for the OMB, as the CATO Institute indicates, the policies of the Bush administration dug a very deep hole. You have contrition about it but that doesn't solve it. What's got to solve it is us coming together and being honest with the American people. That's what the commission is hopefully going to do, and it's going to give us tough recommendations, and we will have to clasp hands together frankly if those recommendations are real, honest, and effective because they will be politically controversial because the medicine doesn't always go down very well.

But we have all dug a hole. I was not for most of the Bush policies that put us in those holes. I think giving up revenues—that's part of the $2 trillion of spending that you made, YouCut revenues—but you did not pay for them. The thing to do if you're going to cut taxes is to cut spending. The American public understand that, but pay for what you're still going to buy. Don't expect the credit card to be used by us and paid for by our children.

So I tell my friend that the individual items which you have just outlined are worthy of consideration, and asking the American public their recommendations is absolutely the right thing for us to do as a democratic body, but let us not kid the people that we can deal with the budget hole that has been dug over the last 8 years from surplus to deep deficit, surplus in 2001, deep, deep deficit in 2009, January of 2009, is going to be solved by simply nibbling around the edges, no matter how big those figures may sound, and they are big. But in the magnitude of the problem that confronts us, they will not get us to where we need to be.

I thank the gentleman for yielding.

Mr. CANTOR. Mr. Speaker, I thank the gentleman and I would say I hear the gentleman, that he thinks that contrition is not enough. I hear the gentleman who says that he and his side is to blame as well, and I think enough is enough about going backwards.

The gentleman's heard me before on the floor in this colloquy quote Winston Churchill when he said, Of this I am quite sure, that if we open a quarrel between the past and present, we shall find that we have lost our future. And I would say to the gentleman in the spirit of that quote, let's go forward. Both of us can differ on policy, but it seems that the gentleman is more interested in settling a score to have this side of the aisle admit that somehow our policies were failing.

I have said here—I think most of my colleagues on this side of the aisle would say—spending was too high. The gentleman indicates that we voted on $2 trillion of spending while we were in the majority over the last several years.

Mr. HOYER. Will the gentleman yield just to clarify?

Mr. CANTOR. I yield.

Mr. HOYER. We all voted for more spending than that over that period of time, given the size of our budget. What I said was, to be precise, you voted for $2 trillion of unpaid spending.

I thank the gentleman for yielding.

Mr. CANTOR. I thank the gentleman for that correction, and would say that with that $2 trillion figure out there, we could also look to see how much spending is going on now, and the national debt has increased by $4 trillion since the Democratic Party took control of this Congress, and we've added $4.8 billion in debt per day under this President. So there is no side immune to blame for more spending, which is why we continue to plead that let's work together now. Let's not kick the can down the road.

The gentleman continues to say that the YouCut proposals are too small, though worthy, too small to even fix any problem. That is not true, Mr. Speaker. We are about trying to change the culture here in Washington. The gentleman shares with me concern about the life our kids, their kids and theirs will have in this country given

the actions we are taking and those we're not on the floor of this House.

So I thank the gentleman, again, for his willingness to engage in these substantive discussions. We need more of these debates on substance in the workings of this House, and I appreciate, again, his time.

ADJOURNMENT TO MONDAY, JUNE 14, 2010

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning-hour debate.

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

There was no objection.

AUTHORIZING THE SPEAKER TO DECLARE A RECESS ON TUESDAY, JUNE 15, 2010, FOR THE PURPOSE OF RECEIVING FORMER MEMBERS OF CONGRESS

Mr. HOYER. Mr. Speaker, I ask unanimous consent that it may be in order on Tuesday, June 15, for the Speaker to declare a recess subject to the call of the Chair for the purpose of receiving in this Chamber former Members of Congress.

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

There was no objection.

BP REFUSING TO PROVIDE CRITICAL DATA AND SAMPLES

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

Mrs. MALONEY. Mr. Speaker, it's been more than 30 days since the Deepwater Horizon exploded in the Gulf of Mexico. In that time, at least 40 million gallons of oil have entered our oceans. To give you some idea what this means for the gulf coast, if the oil disaster was centered in my district, it would completely cover New York City, Long Island, Connecticut, and northern New Jersey, and far more in the east and the west.

With a disaster of this enormous magnitude, it's absolutely critical we know everything we can about the oil, its scope and its effect on the Gulf of Mexico. But according to recent reports, BP is refusing to provide critical samples and data to scientists studying the disaster. Scientists researching the vast underwater damage of the oil spill have been denied oil samples from BP. Other scientists studying the flow rate at the source of the oil haven't received high quality video they requested from BP's underwater robots. Still more researchers have asked for, but not received, access to much-needed data to study oil plumes beneath the surface of the ocean.

It is imperative for BP to give scientists inside and outside of government access to every sample, every data point, and every other resource they need to help us understand the truth about BP's oil disaster. The American people have a right to know.

HONORING LINDSAY POTTS

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

Ms. KAPTUR. Mr. Speaker, I rise to pay tribute and deeply thank on her retirement from our congressional staff Ms. Lindsay Potts of Toledo, Ohio, who, for nearly 3 decades of exemplary and extraordinary patriotic service to the people of our district, State, and Nation has turned in her retirement papers.

I'd like to thank Lindsay publicly for her exceptional honesty and work ethic, her abiding kindness, her aptitude and inquiring mind, her patience, her fine writing skills, her insatiable intellectual curiosity. She truly is a renaissance woman.

Lindsay is also a devoted wife to David Beckwith, and they are parents to two marvelous young people, Schuyler and Judson, and she is sister to Leslie and to brothers near and far.

Lindsay's gifts are unmatched, her smile, her sparkle, her uncanny ability to connect to people from all walks of life and draw the best from them for community betterment, as well as empowerment of marginalized people in the days that she wrote ''People Building Neighborhoods'' for the National Neighborhood Commission.

I wish her well, as does our entire staff, in the coming days and years. She will always have a home in our congressional family and will be missed by all who value her precious life. From the bottom of my heart and our hearts, Lindsay, thank you always. God bless you, Lindsay Potts.

GREATEST ENVIRONMENTAL DISASTER

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

Mr. CAO. Mr. Speaker, the greatest environmental disaster in history is unfolding in the Gulf of Mexico. The oil spill has damaged the shoreline of the gulf coast and my home State of Louisiana.

Each day I receive from the State this report listing the affected shoreline. I have visited many of the places, and to Louisianans and my family, it reads like a list of old friends.

You can't really understand the impact of this disaster until you hear the names associated with the 103 miles of Louisiana shoreline that already have been affected.

This includes the Chandeleur Island, Breton Island, South Pass, South West Pass, Whiskey Island, Trinity Island, East Island, Raccoon Island, Port Fourchon, Grand Isle, Elmer's Island, Brush Island, Pass a Loutre, Marsh Island, Timbalier Islands, Lake Raccourci, Pilot Bayou, Isle Grande Terre, Devil's Bay, Lake Felicity, Cheniere au Tigre, Pilot Bay, Timbalier Bay, Bay Ronquille, Casse Tete, Vermillion Bay, Bay Batiste, Bay Long, Lake Barre, Blind Bay, Calumet Island, Barataria Bay, Bastian Island Grande Ecaille, Wilkinson Bay Marsh.

This disaster is bigger than anything we have ever seen before. I call upon my colleagues and the Nation to maintain our attention on swift response and recovery and to hold the responsible parties accountable.

□ 1530

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 Indiana (Mr. BURTON) is recognized for 5 minutes.

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

UNITED STATES MARINE SERGEANT BRANDON BURY

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. Mr. Speaker, it is with great pride and a heavy heart that I speak today of a young marine from my district in Texas who gave his life while fighting the terrorists in Afghanistan.

Marine Sergeant Brandon Bury was killed on Sunday, June 6 during combat operations in Kabul. This is a photograph of this marvelous marine. He leaves behind his wife, Heather, and his two young sons, Cole, who is 3-years-old, and Cade, who is 1.

Brandon was on his third tour of duty. He previously served two deployments in Iraq, and he left for Afghanistan this April as part of a team training Afghan police.

He was 26 years of age and a 2002 graduate of Kingwood High School in Texas. In his 26 short years, Brandon lived a lifetime of service to other people.

I talked to Brandon's mom, Terri, this week. She told me that Brandon had just called her, and he had asked her to send him gifts for the local Afghanistan children in his next care package. Brandon, always thinking about ways to do something for somebody else.

I have been to Afghanistan and, let me tell you something, Mr. Speaker, those Afghani kids love American warriors. They love our troops, and I have

seen how they react to those troops firsthand.

Marines like Brandon are the reason why. They are the best ambassadors for liberty and freedom that there are in the world because, you see, Americans never go to conquer. They go to liberate. They go to lands they have never seen, and they fight for people they have never known.

Brandon's mom and dad, Terri and Bryan Bury, now live in Dallas, Texas, with his two brothers. I met Brandon 2 years ago at a 4th of July celebration in Kingwood. He stood 6 foot 6 and he was all marine. He was an impressive individual, and his friends say even back in middle school Brandon knew what he wanted to do. He wanted to be a United States marine.

He volunteered for the Marine Corps. He could have been an officer, but he wanted to be an enlisted man so he could be on the ground with other such marines.

You know, Mr. Speaker, there is nothing like a U.S. marine. They go into the desert of the gun and the valley of the sun. They go where others fear to tread and the timid are not found.

These young warriors make great sacrifices today in the heat and the dust and the deserts and the rough, rugged mountains of Afghanistan. They track down those terrorists wherever they try to hide.

There have been 10 Texas warriors killed this year in Afghanistan, four from the Houston area. In our congressional district in Texas, there have been a total of 29 warriors killed in Afghanistan and Iraq.

It has been said that wars may be fought by weapons, but they are won by warriors. Brandon Bury was an American warrior. He was a hero in the tradition of our great men and women who defend the flag and liberty. It is America's warriors who pay the price for our freedom.

In America's first war fighting for freedom, Patrick Henry said, ''The battle, sir, is not to the strong alone; it is to the vigilant, the active, and to the brave.'' We are fortunate that these words still ring true today and that Americans like Brandon carry those values into battle.

While we mourn the loss of Brandon Bury, we should thank God that a man like him ever lived.

Killed with Sergeant Bury were Lance Corporal Derek Hernandez, 20, of Edinburg, Texas, and Corporal Donald Marler, 22, from St. Louis, part of the 3rd Battalion, 1st Marine Regiment, 1st Marine Division based at Camp Pendleton. These proud, young warriors were killed on the 66th anniversary of the D-day invasion of Europe.

Shakespeare wrote about such men in Henry V, when he said, ''From this day to the ending of the world, we in it shall be remembered. We few, we happy few, we band of brothers; for he today that sheds his blood with me shall be my brother.''

Mr. Speaker, we shall always remember Brandon and his fellow marine brothers and the lives they gave for freedom. So today I extend my prayers and condolences to Brandon's wife and two young boys, and his parents, his relatives, and his friends in the Kingwood community.

Mr. Speaker, when a warrior goes off to faraway lands, the family stands vigilant at home because they, too, have really gone off to war.

Brandon was a marine. He was the poster boy for what is best about America.

Where does America get such amazing breed, this rare breed like Brandon Bury? Mr. Speaker, there is nothing quite like a marine. It was said best by an Army general when he said there are only two groups that understand marines—marines and the enemy.

So Semper Fi, Brandon Bury, Semper Fi.

And that's just the way it is.

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

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

TRILLION WITH A ''T''

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

Ms. WOOLSEY. Mr. Speaker, a week ago Sunday, at approximately 10:06 a.m., after the House had adjourned for recess and Americans were enjoying their holiday weekend, the Nation reached a truly disturbing milestone. At about that moment, according to the National Priorities Project, the combined amount of taxpayer money spent on the wars in Iraq and Afghanistan reached a staggering $1 trillion. That's trillion with a ''T,'' Mr. Speaker.

That's a breathtaking amount of money to spend, even on something that works. But that kind of spending on two bloody wars that have taken thousands of American lives, destabilized other parts of the world, and done nothing to achieve national security goals, well, it's positively shameful.

That trillion dollars doesn't even include some bills that haven't yet come due, like future medical costs for returning Iraq and Afghanistan veterans, a commitment we absolutely must keep. Nor does it include interest our grandchildren will pay on the debt we have racked up to finance these wars.

What I can't help thinking, Mr. Speaker, is the lost opportunity costs that we should be taking into account. What could we be spending that kind of money on if we weren't wasting it on immoral wars?

The National Priorities Project did a few calculations that report what we could do with a trillion dollars. They say we could provide a year's worth of health care to 161 million low-income Americans, or we could pay for 137 million Head Start slots, or we could put 16 million more teachers in our elementary school classrooms.

But a funny thing happens whenever we try to make significant investments in the American people, especially those who find themselves struggling through no fault of their own. Suddenly, many of the same people who want to hand a blank check to the Pentagon become the strictest penny-pinchers. The priorities are completely distorted. We have to fight and scrap for every dime of spending designed to help our own people. But in the name of overseas invasion and conquest, money is no object and no expense is spared.

We don't need to spend a trillion dollars to combat terrorism and protect our people. Instead, we can implement a smart security strategy that rejects warfare for the kind of real power, moral authority, and humanitarian decency that is American. It is America at its very best.

It's time to replace the military surge with a civilian surge, Mr. Speaker. We need aid workers, diplomatic initiatives, civil society programs, teachers, democracy promotion specialists, agricultural experts and much more, which would and will make us safer at a fraction of the cost.

Mr. Speaker, these trillion dollar wars have to end. It's time to move to a smart security strategy. It's time to bring our troops home.

BP OIL SPILL DISASTER: DAY 52

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, today represents day 52 of the worst environmental disaster in U.S. history, and on this 52nd day, BP is no closer to finding a solution. As families and small businesses in the Florida Keys and across the gulf coast continue to suffer, BP has failed to come through on an effective strategy for plugging the gushing rig and for picking up the oil.

My office has been flooded with calls from constituents eager to offer their assistance in the cleanup effort. Commercial fishermen, charter boat captains stand ready to lay boom and skim oil before it reaches the shore. Community organizations like United Way and the Florida Keys Environment Coalition have gathered volunteers ready to patrol the shoreline searching for tar balls. Unfortunately, BP has not provided these groups with the necessary training to assist in the cleanup effort.

As many constituents have complained to me, BP is failing to utilize members of the Keys community. Instead, BP is waiting until oil washes ashore to take action.

Additionally, many residents have called to offer their suggestions on how to clean up this mess. I sincerely hope that BP is giving due consideration to all of these suggestions. Clearly, BP's plan has not worked. The cleanup plan in Louisiana is abysmal. It is time for BP to look elsewhere.

Yesterday, I met with BP executives to discuss the company's slow, uncoordinated, and half-baked response efforts in Florida. At this meeting, I relayed the frustrations of many south Florida small business owners who are going through the BP claims process. These individuals are required to go through a long, complicated, and belittling process in order to receive the compensation that they serve because, for their economic loss, they had a downturn in business as a result of the premature panic from the BP oil spill.

□ 1545

Let me be clear: These hardworking men and women are not looking for a handout, Mr. Speaker. They would much rather be working. Unfortunately, the disaster in the gulf has taken a tremendous toll on fishermen, on dive shops, on restaurants, on motels, and many tourist-related businesses in the Keys.

BP needs to completely revamp its claims process. In the Keys, two claims offices opened by BP are virtually useless. Individuals seeking compensation leave these offices with stacks of complicated paperwork, legal documentation, and little guidance.

I have requested detailed information from BP on its claims process. We need to demand complete transparency in this process, including data on how claims are being evaluated, how payment sums are being determined, and how quickly claims are being processed. Complicated legal documents just will not do.

On a related note, the Federal agencies need to come up with a plan in the event of a tropical storm or hurricane in the gulf. Hurricane season has just started. Experts at the National Hurricane Center predict that the 2010 hurricane season could be one of the most active on record. Forecasters are predicting anywhere between 14 to 23 named storms this season. Of course, it only takes one. Just ask the Florida residents who suffered through Hurricane Andrew, or just ask those residents in New Orleans who are still recovering from Hurricane Katrina.

In addition to a predicted active storm season, our communities are now saddled with the uncertainty of an oil spill. The ruptured oil rig is located right in the middle of hurricane alley. Scientists have suggested that the sheer strength of a hurricane could turn the oil slick into a devastating black surf. I shudder to think of the long-term economic devastation and environmental damage caused by this toxic combination.

BP and, indeed, all of our Federal agencies must prepare now for a worst-case scenario later. BP cannot continue to sit idly by while communities are destroyed.

MAVI MARMARA

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

Mr. HOLT. Mr. Speaker, the events that transpired in the Mediterranean off the coast of Israel on May 31st were profoundly unfortunate and the loss of life is deeply regrettable.

We await a full and credible account of what happened aboard the Mavi Marmara, yet we know that Israel has the right and obligation to protect her citizens and borders, in this case by enforcing a legal naval blockade to allow certification of peaceful end use of goods transported into Gaza.

In the days since the incident, Israel has released all people detained and has inspected and trucked the flotilla aid cargo to Gaza, where I understand it awaits permission from Hamas to cross.

Sadly, last week's confrontation could have been avoided. Israel offered the flotilla organizers the chance to have their cargo inspected at the Port of Ashdod and transported to Gaza. Five of the six ships in the flotilla complied nonviolently, but the Mavi Marmara, loaded with over 500 people, refused.

The sequence of events that subsequently led to violence is disputed, but it is obvious, to me anyway, that the actions of the Mavi Marmara were needlessly provocative.

Israel should lead an impartial, transparent, and prompt examination of the incident. And inquiries may show how the interdiction could have been accomplished without loss of life.

It seems to me that the Israeli soldiers were right to defend themselves from the brutal assault. We saw this on video. It does not seem clear that the situation had to unfold as it did, however.

Israel announced yesterday that a highly respected team of experts will review the investigations that are now under way, with a report expected in about a month. The United States should assist our ally in this endeavor, and the world community should withhold judgment until a reliable inquiry is complete. Yet many around the world, once again, are rushing to blame Israel before fully examining all the facts.

The United States, correctly, voted against a United Nations Human Rights Council resolution that called for an independent fact-finding mission, while at the same time, prematurely condemning Israel's actions. This apparent bias cannot be allowed to inflame an already volatile situation.

I have called for increased humanitarian aid to the people of Gaza for more than a year now. Legitimate humanitarian needs cannot be ignored. However, continued interference and provocations by any nation or faction in the region are unhelpful and dangerous.

The United States, the Arab states, and others must continue to facilitate vigorous and sustained diplomacy until lasting peace is achieved. Ultimately, only a just, permanent, and peaceful settlement between Israelis and Palestinians can ensure the security and the welfare of all in the region.

FREE ENTERPRISE, FREE MARKET EQUALS RECOVERY

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

Mr. DUNCAN. Mr. Speaker, in today's Washington Post, the very prominent columnist George Will has a column about how the very limited recovery that has gone on in this country over the last few months is a jobless recovery, a term that we are hearing from many, many experts throughout the country.

I can tell you that, all over this country, college graduates are having trouble finding jobs, and many are having to work as waiters and waitresses in restaurants or at other very low-paying jobs. In large part, that is because environmental radicals have forced us to send millions of good jobs to other countries for 30 years or more now, and that is the main cause of that problem. But another problem that is going on all over the country is the credit situation.

Yesterday, in the Washington Times, there was a lengthy article about the problem that is still going on, that the banks are not making loans to anyone who really needs a loan, and particularly small businesses are hurting.

Well, I can tell you exactly why the banks are not making loans to the people who need them. And that is because, while the President and the Secretary of the Treasury—and both President Bush and his administration did this and President Obama and his Secretary of the Treasury have been doing this—they are up here in Washington saying, loan, loan, loan, and the banks have all this money, but the examiners down on the local level are saying, no, no, no, and turning down what would be really good loans even in just recent times.

Unless the examiners start giving small businesses at least some flexibility, this economy is not really going to recover.

We know, for instance, that there have been almost no jobs created over the last few months in the private sector. And about the only jobs that have been created or the biggest number of jobs that have been created have been jobs in the census, which occurs only once every 10 years.

My main purpose in coming here today is to read into the RECORD a letter that I have received from one of my

constituents, Mike Connor, who started with one restaurant in 1992 and now has a chain of 15 restaurants.

He wrote this letter to me recently. He said, quote, ''We, the middle-sized business owners, are going to need a lot of help in the next couple of years. As I understand the current health care reform bill, Connor Concepts, as an employer of more than 50 people, will be required to provide health insurance for all full-time employees or face a $3,000 fine per employee.

''We currently employ around 1,200 team members in five States. We do provide health insurance for around 100 full-time salaried management and upper-management staff. Of the remaining 1,100 team members, around 800 are full-time and are not provided with health insurance.

''If we are required to pay for their health insurance or pay the penalty, we would have to pay an additional $2,400,000. If we are forced to pay this, the five States we operate in will have an additional 1,200 unemployed. We would lose a lot of money!''

Mr. Connor continues, ''Together with my team, I have built this company from one restaurant in 1992, providing jobs for 80 people, to 15 restaurants, employing 1,200. Right now we plan to continue opening one restaurant a year, employing 80 to 100 people. If something doesn't change in the next year or 2 with this reform, we will have to stop growth.''

I want to repeat what he said here. This 15-restaurant chain, which is not a giant business, they will have to stop their growth if the health care reform bill goes fully into effect as it is now written.

Mr. Connor continues, ''Though our team members are not provided health insurance because of the expense, they are provided with a good pay wage, excellent vacation benefits, meal privileges, and excellent working conditions. More than anything else, though, they are provided a good job, one that allows them to pay their bills, support their families, or pay for their school.

''We do provide an insurance plan team members can pay for themselves. It is an inexpensive plan that has limits on hospital stays but does take care of routine medical care.''

Mr. Connor ends this letter by saying, ''I look forward to working with you in whatever way I can to change this law so that I can stay in business.''

Businesses, Mr. Speaker, all over this country are facing this same situation. And we have got to change this and allow the free-enterprise, free-market system to work in this country once again if we're going to ever have the recovery that our people want.

I thank you.

TRIBUTE TO BILL HANDLEMAN

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

Mr. SMITH of New Jersey. Mr. Speaker, award-winning journalist Bill Handleman, 62, of the Asbury Park Press, tragically passed away yesterday after a long bout with cancer.

A family man and a humanitarian with a great big heart and incisive wit, Bill is survived by his dear wife Judy, his three children, his mom, extended family, and a boatload of friends.

And allow me to extend our deepest condolences to the family and to let them know that our prayers are with them during this very, very difficult time.

Mr. Speaker, to know Bill Handleman in person or through his prolific pen is to respect and admire his innate goodness, his generosity, and good humor. For years, Bill's news beat was sports, and he especially liked the ponies. He was a four-time sportswriter of the year, in 1992, 2002, 2003, and 2005.

Asbury Park Press staff writer Shannon Mullen writes in today's edition, however, that ''Bill soon discovered that he much preferred writing about everyday struggles of ordinary people rather than the coddled multimillionaire athletes he dealt with on the sports beat.''

Bill had an extraordinary penchant for a compelling subject matter and consistently turned the seemingly mundane, especially those who were left out and left behind, into compelling human interest stories.

The Press's Shannon Mullen again summed it up well: ''Bill Handleman was a gifted storyteller. His writing style was direct, witty, and spare. A lifelong student of Hemingway, he used periods like an Impressionist painter uses a brush, preferring short, incisive sentences that packed a punch. And as a columnist, Handleman relished championing the underdog.'' Mr. Speaker, thank God he did.

Even as he battled cancer, Bill turned out one great story after another with intriguing titles like, ''A Man With a Hole in His Heart: A Coach's Story''; ''No Longer Homeless: A Former Mogul Envisions the Future''; ''A Different Midlife Crisis: A Man Learns that He Is Adopted''; ''During the Depression, the Poor Scramble for Work and Cash''; ''A Father Leaves Behind a Secret''—it was a World War II veteran story.

His stories made us laugh and touched our hearts, and they moved us to action, like the case of David Goldman. To a large extent, David Goldman ceased being invisible in his heroic battle to reclaim his son, Sean, from a child abductor in Brazil because Bill Handleman made it his passion to effectively inform, inspire, and challenge the community, including and especially lawmakers, to join David's struggle for justice.

□ 1600

''For 4 years, no one could hear him. He was shouting in the dark,'' David's father, Barry, told Mr. Handleman in one column. In the 16 months since Mr. Handleman began telling this story, David's seemingly intractable plight went from near total obscurity to huge prominence. Public officials at every level responded to the call.

Each of Bill Handleman's approximately 24 columns not only conveyed to readers timely and critically important information about the Goldman case, but Mr. Handleman went deep behind the scenes to flesh out details of uncommon courage, sacrifice and compassion. Bill Handleman gave the community rare insights into the raw emotion and the fleeting successes, followed by frustrating setbacks, the agony and ultimately the ecstasy of David and Sean's permanent reunion.

In a candor and depth of reporting found nowhere else in the print media, we got to know David in his own words as he was thinking it. Readers of the column were there with David on countless trips to Rio, to Brasilia, to Washington, and at home with him in Monmouth County. For more than a year, Bill Handleman allowed us to see it all as David did and to walk, to some extent, in left-behind-parents' shoes. Through Bill Handleman's incisive pen, we also got to know much of David Goldman's family and close friends.

We will miss Bill Handleman. I, along with tens and thousands of others, read each and every column, often with tears and empathy and resolve to do more about David Goldman's case. David Goldman was, indeed, lucky that the columnist who embraced his quest turned out to be a consummate storyteller and the Handleman column a true game-changer. Bill Handleman did an exceptional job. We will miss him dearly.

Again, our prayers and our condolences go out to Judy and to the family.

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

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

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

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

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

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

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 5 minutes.

(Mr. LINCOLN DIAZ-BALART of Florida addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

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

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

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

UNDER DISCUSSION

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

Mr. GOHMERT. Thank you, Mr. Speaker.

There are three different issues that I am compelled to bring up and to discuss.

One, first of all, is with what is going on in the Gulf of Mexico. Being from Texas, we are particularly sensitive to what happens there. There have been so many days on the Gulf of Mexico coast, on the Texas coast—Louisiana, Alabama, Mississippi, Florida—in all of those areas, and to see what is happening is heartbreaking.

Two things need to be done. One is to immediately do everything we can to stop additional oil from flowing into the area. At the same time, we must clean up the area before we do any more devastation. Then the other thing is we need to find out what caused the spill and what could have been done better to prevent this kind of thing from ever happening.

You know, we find out that British Petroleum had been cited 750 times, apparently, on rigs for safety violations. Compare that to others. I believe Exxon and Shell may have had one during the same period. So I mean there were indicators that perhaps BP was hurrying, that perhaps there was a test that didn't work out. Well, we've heard those rumors. Yet they still continued. There is the rumor of someone's yelling on the phone after the explosion: I told you, I told you. Are you happy? I told you. It's something to that effect. There are indications that perhaps people at BP knew that they were moving too fast and got careless. There was no reason for this. There was no reason for this. Proper measures had been taken.

One of the problems we find in America is when the government decides to get involved and to do everything itself rather than to have the supervisory, the regulatory role, that it is supposed to have. In other words, what the Federal Government is supposed to do is to make sure that everybody plays fair and to then let them play. If you have a company that is playing in Federal ocean areas, you've got to make sure they're not breaking the rules and jeopardizing your homeland.

When asking Director Birnbaum of the Minerals Management Service why the testing had not been disclosed, she said, Well, it's under investigation. So those reports are being utilized in the investigation. I publicly asked in our hearing for a copy of the reports because we know experts as well who can look at the reports and say, Well, it says right here that the test didn't work, that there were problems that arose. We don't need to wait months. Let's find out what the problem was so that we can see if we need to fix that on other BP rigs.

In the meantime, because of the problems there, thousands and thousands of American workers are being punished by this administration with the overreaction. We're not just stopping BP and double checking their work. We're going after everybody. The President said there would be a 6-month moratorium. He's going to hurt everybody because of what BP may have done or not done. That's no way to act. In the middle of a crisis, in the middle of a recession, you put other people out of work?

You know, we heard from the families here on Capitol Hill. Bless their hearts. They've been through so much with the loss of life out there on that rig. It's my understanding that, even since the hearing, they're not demanding that drilling stop. They've got too many friends who will be out of work. We need to find those who are responsible. Yet, in the meantime, what could be done?

We have heard the President very nobly say, I'm in control. The administration says they've been in control from day one.

Yet we see this week, according to this article by Loren Steffy, in the Houston Chronicle, posted on June 8, at 10:13 p.m.: ''Three days after the explosion of the Deepwater Horizon in the Gulf of Mexico, the Dutch Government offered to help. It was willing to provide ships outfitted with oil-skimming booms, and it proposed a plan for building sand barriers to protect sensitive marshlands.

''The response from the Obama administration and British Petroleum, BP, which are coordinating the cleanup, is, 'The Embassy got a nice letter from the administration that said, ''Thanks, but no thanks,'' said Geert Visser, consul general for the Netherlands in Houston.'''

Well, wasn't that nice. The administration has been in control, we are told, from day one. We heard that before a lot of the people covering the event even noticed that this administration was down there in charge.

Apparently, within 3 days, their answer was to say we don't want help. These people are from the Netherlands. What do they know about dikes and sand barriers and dealing with ocean water? Oh, yeah. Their country has been reclaimed from the ocean, a good deal of it. Why would we want their help? These guys are experts on dealing with ocean water problems. They've been turned away. They were turned away. What sense does that make? Oh, we're in charge. We're in control. We're running things. Yet, in the response to the Dutch, who had the capability to come in and to immediately take action to protect the wildlife, the estuaries, these important marshlands, the beaches—and 3 days after the oil began gushing into the gulf—this administration basically put British Petroleum in charge. It said you take care of it. You know, we don't have your expertise. You take care of it.

We heard from Mr. Gibbs, who nicely said—or I believe it was, maybe, Secretary Salazar, but the administration was pointing out that we have our boot on their throat. In a hearing in our Natural Resources Committee, I asked, What does that mean? The Deputy Secretary of the Interior under Salazar and others there, I didn't really feel, gave appropriate answers. I don't know. I still don't know what that means. We've got our boot on their throat. You know, I'd rather you boot me down there to Louisiana and to Florida and make sure that the oil is not getting to the shore, but when in our hearing they were asked about Louisiana's wanting to set up little barrier islands out there so the oil wouldn't get into the sensitive areas and kill the wildlife and kill off the livings of so many thousands of people, we were told in that hearing, We have that under discussion. Oil was gushing and still is, and this administration has those things under discussion.

He went on to elaborate and explain.

You see, we think it's possible that, if they build these sand islands out there, it may actually draw more oil into the areas they are trying to protect. So we're still talking about it.

Good grief. How about checking with the Dutch? They offered to help 3 days after the explosion.

Well, this article goes on. It says: ''Now, almost 7 weeks later, as the oil spewing from the battered well spreads across the gulf and soils pristine beaches and coastline, BP and our government have reconsidered. U.S. ships are being outfitted this week with four pairs of skimming booms airlifted from the Netherlands and should be deployed

within days. Each pair can process 5 million gallons of water a day, removing 20,000 tons of oil and sludge. At that rate, how much more oil could have been removed from the gulf during the past month?''

But we know who is in charge. They've made it clear from day one. They didn't want the Dutch help for 7 weeks, and now the administration says, You know what? Maybe we'll outfit our own ships and do what you offered to do when this first started.

The article says: ''The uncoordinated response to an offer of assistance has become characteristic of this disaster's response. Too often, BP and the government don't seem to know what the other is doing, and the response has seemed too slow and too confused. Federal law has also hampered the assistance. The Jones Act, the maritime law that requires all goods be carried in U.S. waters by U.S.-flagged ships, has prevented Dutch ships with spill-fighting equipment from entering U.S. coastal areas.

'' 'What's wrong with accepting outside help?' Visser asked.'' Again, Visser is the consul general for the Netherlands, who offered the assistance.

Visser said, '' 'If there's a country that's experienced with building dikes and managing water, it's the Netherlands.'

''Even if, 3 days after the rig exploded, it seemed as if the Dutch equipment and expertise wasn't needed, wouldn't it have been better to accept it, to err on the side of having too many resources available rather than not enough?

''BP has been inundated with well-intentioned cleanup suggestions, but the Dutch offer was different. It came through official channels from a government offering to share its demonstrated expertise.

''Many in the U.S., including the President, have expressed frustration with the handling of the cleanup. In the Netherlands, the response would have been different, Visser said.

''There, the government owns the cleanup equipment, including the skimmers now being deployed in the gulf.

''If there's a spill in the Netherlands, we give the oil companies 12 hours to react, he said.

''If the response is inadequate or the companies are unprepared, the government takes over and sends the companies the bill.

''While the skimmers should soon be in use, the plan for building sand barriers remains more uncertain.''

That is as was mentioned in our hearing. We were told in our hearing that weeks after the explosion and the oil started gushing forward, Well, we have that under discussion. We're concerned that, if we build these little barrier islands that prevent the oil from getting into these sensitive areas, they could actually cause more oil to come into the sensitive areas. So we are still having it under discussion.

Excuse me? You've got people losing their livelihoods probably for the rest of their lives, and you want to come in and say, You know, we're discussing it.

Well, Louisiana Governor Bobby Jindal supports the idea, and the Coast Guard has tentatively approved the project. One of the proposals being considered was developed by the Dutch marine contractor Van Oord and Deltares, a Dutch research institute that specializes in environmental issues in deltas, coastal areas and rivers.

□ 1615

They have a strategy to begin building 60-mile-long sand dikes within 3 weeks. That proposal, like the offer for skimmers, was rebuffed but then later accepted by the government. BP has begun paying about $360 million to cover the cost. Once again, though, the Jones Act may be getting in the way.

American dredging companies, which lack the dike building expertise of the Dutch want to do the work themselves, Visser said. We don't want to take over, but we have the equipment, he said. The Dutch have the equipment. They've offered it. While he battles the bureaucracy, the people of Louisiana suffer, their livelihoods in jeopardy from the onslaught of oil. Let's forget about politics. Let's get it done, was Visser's last comment in the article.

It makes no sense if somebody's going to be in charge and vote ''present.'' You can't vote ''present.'' We'll think about it. We'll talk about it. We don't want to commit, in an emergency. Err on the side of additional help. But, here again, we've got the Jones Act from the 1920s that stands in the way.

It's interesting, another posting on June 8. This is apparently in American Leadership. It mentions within days of the oil spill, several European nations and 13 countries in total apparently offered the Obama administration ships to assist in the cleanup of the gulf. When asked about this, a State Department press spokesman refused to identify any offers of assistance. Wouldn't want to identify who's offering to assist because some reporter might actually go ask them, What were you suggesting? What were you wanting to do? Then that might put pressure on the administration and might bring to light the fact that the administration had turned down help that would have saved the livelihoods and jobs for thousands and thousands of Americans. Because we've heard over and over, this administration wants to save jobs. Not doing much to create them other than, as we heard, 411,000 of the 431,000 last month were created as temporary census workers. We can create new government jobs, but this would have saved jobs, and yet the response was dilatory.

According to one newspaper, European firms could complete the task in 4 months rather than an estimated 9 months if done by the United States. Working with the U.S., the cleanup could be accomplished in 3 months. The Belgium firm DEME contends it can clean up the oil with accuracy at a depth of 2,000 meters. Another European firm with capabilities is the Dutch firm Jan De Nul Group. Pardon me if I mispronounce it. The Dutch and Belgians are long-time NATO allies and, as such, partners in international security cooperation. To close the door on them while they're offering a helping hand in a time of national emergency simply makes no sense.

According to the article, no U.S. companies had the ships which can accomplish the task, because those ships would cost twice as much to build in the U.S. as they do outside the country. This is one adverse impact of the Jones Act which Congress passed in the 1920s. This piece of protectionism has only hampered an anemic American maritime industry. It also has prevented a quicker response to the oil spill.

European firms do have the expertise to clean up the spill. And again, this is from the posting in American Leadership on June 8 by James Dean. If other nations have the technologies to address this oil spill, then the administration does have the ability to accept their help.

The point's made in this article that in response to Hurricane Katrina, for example, Department of Homeland Security, Michael Chertoff, temporarily waived the Jones Act in order to facilitate much needed transport of oil throughout the country. The Jones Act, which is supposedly about protecting jobs, is actually killing jobs.

The jobs of fishermen, people working in tourism, and others who live along the gulf coast and earn a living there are being severely impacted. Those are also additional private-sector jobs which are not being created in the United States since the Jones Act effectively prices U.S.-based companies out of the ability to be competitive in the competitive global market.

The article says, as we strive to develop new technologies for a cleaner environment at sea, the Jones Act continues to hobble our own capabilities, sometimes with devastating results. The Jones Act needs to be waived now, in light of this catastrophe, and permit those whom we have helped and cooperated with in the past to assist us in our need. After waiving the Jones Act for the gulf cleanup effort, Congress and the administration should repeal it altogether.

And that was coauthored by Claude Berube, and I was reading directly from that posting.

It sure makes sense. We say we want to help folks. Why not let people wanting to help us help us clean the mess up? It would not be that difficult.

But one of the other things we noticed in questioning Director Birnbaum, we find out, well, we're going to fix the problem of the Minerals Management Service. We're going to divide it into three parts. When I

asked if she was aware that the only entity within MMS that was unionized was the offshore inspectors, she seemed surprised, wasn't sure if that was true.

When I asked if the union contract for offshore inspectors did as many union contracts do and limited travel, limited hours that someone could work, she didn't know. Nobody there at the hearing could help me, nobody could tell me whether our offshore inspectors that stand between our homeland and disaster by making people producing energy to help us play by the rules so we don't have an oil spill like this. They play by the rules. We do right. We make sure the testing's done accurately. We don't have a problem. That's why we hadn't had one like that in that area. That's why most of the oil spills are by tankers bringing in foreign oil, because, in the past, we made people like British Petroleum play by the rules, make sure things were working properly. But that didn't happen here.

But we couldn't get the information from the MMS. But it seems to me that allowing offshore inspectors that stand between disaster in our homeland to have a unionized contract, if it limits travel or limits the hours worked, would be like—and I guess this is where we're going next, based on what he saw a couple of weeks ago. The next move will be, That's right. We want the military to unionize as well. It makes as much sense.

You've got people standing between disaster in our homeland. Why not let the military unionize, and then we can have a limit on their travel and their hours. And so they'll be able to say, Well, Sergeant, I'd like to attack that hill, I'd like to take that bunker out for you, but I've already worked all the hours I can work today. You're going to have to go find somebody else. I can't do it.

Now, the reason the military has never been unionized is that it would be disastrous to our national security. The reason that offshore inspectors should not be unionized is because it has been disastrous to our national security. When we lose oil, cut off drilling that will produce oil at the same time that oil wells are playing out across the country and there's still the moratorium on so many areas to drill, and we had Secretary Salazar, when he took office, return the checks for leases in other areas where drilling could commence in that 500-square mile area, as I understand it, including some of Colorado, Utah, and Wyoming, Secretary Salazar, if you recall, a year and a half ago, said, Well, these leases were let at the midnight hour. We've returned the checks. We're not going to let something the Bush administration did at the midnight hour take place.

So this administration has already hurt us dramatically and our ability to become energy free of countries that don't care for us.

And when you get behind Secretary Salazar's position that this was a midnight-hour lease, well, that's when the checks were accepted. It turns out it was a 7-year process; 7 years the oil companies have been working on examining the possibility, the potential for production so they could make their bids. You don't just come and make a bid at the midnight hour without having a chance to examine what it is you're bidding on. You don't write a check for something you've never examined, I guess, unless you're the government. But it was a 7-year process. It's a bit disingenuous to say that it was a midnight-hour lease. So we hurt the country there.

And now we've got a moratorium because of two things, apparently:

British Petroleum didn't do their job. They should have had their feet held to the fire where they played by the rules and we wouldn't have had the problem. And then second, we had a government whose feet were so busy being on the neck of British Petroleum, it didn't paddle its feet on down to the gulf and deal with the issue and let countries like the Netherlands help us that had the expertise to do it.

Now, I've got an entity, a fellow in my district, he's one of many that have offered help, offered solutions. And in east Texas, we have skimmers that are able to take in water, process the oil out here, process the freshwater out the other side. So you separate the oil from the water, but it's on such a small scale, it's not something that would be helpful in the gulf unless you do as this gentleman apparently did. He sent a friend to talk to me, to tell me about the problems he's run into with this administration since they've given British Petroleum and somehow, vaguely, their own selves control. This guy has basically built a barge that will do, on a big scale, what the small-scale skimmers, separators do in east Texas.

However, he sent word, wanted me to know he's got this barge ready to process thousands of gallons of oil, separate out thousands of gallons of oil a day. It's not as much as the Netherlands had offered. But from the message he sent to me, apparently the Coast Guard has indicated they want to be sure that his barge is actually worthy to be out on the seas, because they're concerned, you know, that even though there are people losing their jobs, losing their livelihoods, birds, animals, water life is being killed off, just like the gentleman from the administration testifying before our committee is under discussions about whether or not to build barrier islands, apparently they're trying to decide if this barge should be allowed out on the water so that it can suck up and take out of the water thousands of gallons of oil a day.

□ 1630

It's just a mind-boggling thing. As Bo Pilgrim used to say, it's a mind-boggling thing to see what is being called an emergency effort.

Now, if this were some Internet game, well, it would be interesting, and we would see clearly which group was not very good at emergency management. But it's not a game. Eleven lives were lost. Aquatic life, waterfowl, life in these estuaries is being destroyed as I speak.

Now, it would be easy to say, ''Well, you guys are just talking about it.'' But the thing is, and as I have talked about with my wife, should we continue to sacrifice from a personal family standpoint for me to stay in Congress? She said, ''You know, it may be that one of the last places where there really is freedom of speech, other than calling somebody a liar, is on the House floor. You have got to stay there because you keep hammering the truth day after day, and eventually you may see something done about it.'' And that's why I'm here.

Some people wonder, why does anybody go to the trouble of talking on the House floor, Mr. Speaker? But the truth is, it is a way of getting a message out from here so that eventually people begin to notice.

Well, one other thing about the MMS splitting into three entities. I asked, well, are these three entities of the MMS, that MMS will be divided into, are they going to unionize? Apparently, they are talking about it. Well, if you let the most critical part of MMS, the offshore inspectors, unionize, then why not?

We heard 2 weeks ago people exulting and applauding because we were told we are actually providing civil rights to our military. Well, if you haven't been in the military, I am sure that makes sense, to some anyway. But if you have been in the military, you know the military doesn't have the civil rights that every other American does.

You don't have freedom of speech; you can't. When your sergeant, your superior commissioned officer gives you an order, you don't have the freedom to speak your mind.

And, in fact, when I was at Fort Benning, there were a lot of us that were very upset with our Commander in Chief at the time, a man named President Carter. But if any of us said anything derogatory about President Carter, it was a crime for which we could be jailed, could have pay taken away, could be given extra duty, restrictions. You could not badmouth your Commander in Chief; you don't have that freedom of speech.

And as much as I have wanted to badmouth people, and especially when I was in the Army and had a commander that didn't seem to know what he should, you have got to have that discipline for the good order of the military. Because the military is not supposed to be a socially engineered experiment. It can't be. It is about protecting our homeland against all enemies, foreign and domestic. Of course, domestic, you got to make sure you don't violate Posse Comitatus, but that is another issue.

The fact is, the military is whom we owe so much for having the liberties

protected we do. Yes, the Declaration of Independence says we are endowed by our Creator with certain inalienable rights. The question comes, if we are endowed by our Creator with certain inalienable rights, then why doesn't everybody have them? It's because everywhere people have not accepted the inheritance from our Creator, our Heavenly Father, from whom we inherited these inalienable rights.

When you do accept your inheritance, as this Nation did back in the 1770s—and, for many, it was an ongoing process through the 1800s and even up through the valiant work of Dr. Martin Luther King, Jr., a Christian minister. But this country has claimed those inherited rights.

But that is not enough. As any parent knows, if you leave an inheritance to your children and they don't accept it, then they won't have it. If they accept it and they are not willing to fight for it, to keep that inheritance with which they have been endowed, they won't keep it. Because there are evil people in this world that are glad to take away anything you have.

And as I pointed out 2 nights ago here on the floor, you know, we have the administration—for the first time in the modern history of Israel, this Nation has now turned on Israel and said, we want you to disclose all of the weaponry you have because of the nuclear proliferation thing we are pushing.

Well, if you go back to when King Hezekiah was king in the same location, same area Israel is now, because they did pre-date Mohammed by several centuries, but Hezekiah thought it would be a nice gesture to show all that he had to the Babylonians.

It's stupid to show enemies all of your armaments, all of your armory, and to show them the treasury they could get if they successfully attack you. It is a stupid thing to do. And this country has done some of that. In the effort to be gracious and kind to people that hate us and want to see us wiped off the map and have said so, we show them what we have.

With a big superpower, you can get away with it for a while. But when you are a small country like Israel, your closest and strongest ally should never force you to show the defenses that you have, because then your enemies know how they can overcome you.

And just as Hezekiah was told by Isaiah—I mean, Isaiah knew he was a fool for doing it. And after Hezekiah admitted to Isaiah—Isaiah already knew; God had told him. But once Isaiah had it admitted from Hezekiah, ''I showed him all our treasury, I showed him all of our armory, our armaments,'' and he said, ''Everything you have shown them will be carried away.'' And it was. That's what happens.

The old saying is, those who refuse to learn from history are destined to repeat it. It's very true. Of course, there is a corollary that says, those that do learn from history will find new ways to screw up. I think that's true, too. But why repeat the same mistakes for thousands of years that have been committed when you can learn from their mistakes and not commit them?

And one of the other great dangers that we are creating in turning on our friend Israel—and, you know, basically, this country is still Israel's strongest ally. A family has disagreements within itself, but it gets very protective if attacked from the outside.

But the problem is, when you get outside Chicago and you are playing in the international arena and you want to get cute and kind of snub your close friends, their enemies are watching. They see that. And the message to them is, if we are ever going to attack, now is the time, when there is a strain and a problem between Israel and their strongest ally; let's go now.

That is the way it appeared to North Korea after Secretary Acheson said, you know, basically, Korea is outside our sphere of influence. They had already been massing soldiers to the border. And, obviously, it seems like a good time to attack your enemy when their closest, strongest ally says, we won't protect them.

You can't send those messages out there. You can't vote ''present'' when it comes to international dilemmas and the existence of an entire nation and all the people that have known genocide before and are fearful of having it repeat itself. Massive mistake.

I will come back to Israel again, but one of the issues that has arisen, as I understand it, Neil Armstrong, first man to put his foot on the moon, has said that if we abandon our manned space program it will be devastating to national security.

Wouldn't it be a good idea to listen to people who have more experience in some areas than we do? Neil Armstrong can see the national security implications of us basically giving up what has taken us 50 years to develop: supremacy in space.

It has been very confusing to hear this administration, with the assistance of people in Congress, in saying, in this time of monetary problems, financial crises, this is a time to start cutting budgets, so we really can't afford to keep pursuing these ideas with NASA that have brought us more advancements not just in space—I mean, I take Sudafed.

It is the only thing that clears me up when I get clogged up, not that ridiculous Sudafed PE. It was developed by the space program. They were going to give it to astronauts. And when my doctor, when I was a kid, said, ''There has been this wonderful decongestant developed called Sudafed; give it a try,'' it worked. Velcro—I mean, those are just tiny little things.

The advancement that has brought this country and kept this country to the forefront in technology has been from the space-type ventures. The Internet, it was a Department of Defense effort. And, lo and behold, look at where it has taken us in the private sector now.

But we cannot afford to give up the advances made through our space exploration to the rest of the world and let them take control. Those are the mistakes of a country on its way to the dustbin of history.

The thing is, when you know they are mistakes and you see they are mistakes and you see through history the things that have been done to avoid becoming an asterisk in international history, then why wouldn't you do them? Why wouldn't you take the steps to preserve your nation? Instead, what we get is more cronyism. How could that be? How could that be?

We were told that in this time of financial crisis NASA needs its budget cut. And yet, if you look at the appropriations, the budget increases. More money will be spent for space, but we are not going to give it to NASA.

Well, if we are not giving it to NASA, then why wouldn't the NASA budget reflect that it is being cut, as the administration said? Well, apparently it's because billions of dollars are intended for a private company that has never done this kind of space exploration. Nobody in our country has, because it's been the Federal Government and NASA.

I understand in meetings that it has been disclosed that, of course, we are giving all these billions of dollars to SpaceX to, kind of, take over the space program for us, a private company. And I feel sure it has nothing to do with how much money they donate to Democrats over Republicans. I am sure it has no relationship to the fact that they do.

But, nonetheless, SpaceX—and apparently they have been critical of Senator KAY BAILEY HUTCHISON down the hall, who has pointed out the problems to our country and our national security by gutting NASA and giving their jobs over to a private company that has never done these jobs. It will make some people very, very wealthy who give heavily to Democrats. But that is not the point.

Senator HUTCHISON was criticized by SpaceX, apparently back in Texas, saying, you know, ''Somebody needs to let the Senator know she is criticizing a Texas company.'' Well, on further checking, it turns out they have about 100 jobs in Texas, and they have already committed to someone else that they are going to move those jobs from Texas to where it is more politically convenient.

We are going to turn jobs over to them that are a matter, as Neil Armstrong said, of national security? Not a good idea.

□ 1645

Not a good idea. As someone mentioned in private meetings, let's face it, though, if SpaceX ends up having problems in being able to effectuate space flight, there's no question it will be so devastating that we'll have to bail

them out. We're already setting up private companies that don't—have never done what they are going to take away from a government entity that's been the most successful in all of mankind, NASA, this effort, give it to this private company and already know that if they have a problem and they can't get the space flight going, they'll go broke and we'll have to bail them out. We know that going in. Is that smart? My goodness, the things we're doing at the worst possible time make no sense. It just makes no sense.

But as time runs out as allocated, I want to finish with one other thing going back to Israel.

The world needs to know, make no mistake about it, Israel is a close ally. They believe in the same type of human rights that we do in this country. And so why wouldn't you be an ally with a country that believes in the rights of women, believes in the rights that we hold dear here, believes that there's no such thing as an honor-killing of women who've been raped, that has the same kind of beliefs, Judeo-Christian beliefs, and the value of mankind that this country has always held so dear.

For that reason and because there's been snubs by the administration overtly that are being misread around the world, we are not going to abandon our friend, Israel. There are too many people on both sides of the aisle that will not stand for that.

And I've been working privately behind the scenes. I've been told by people that I respect, the most knowledgeable people, I think, on Israeli affairs, that it's time to start pushing this publicly so people will publicly get on board.

So I've got a letter now, and it will be going out to all of my colleagues. And it will ask them to get on board because I would like them to sign on to a letter to Leader REID down the Hall—because both the House and Senate have to do this—and the letter simply says, Mr. Speaker, this letter is to simply state the obvious need for the Prime Minister of our dear friend Israel to address a joint session of Congress. He's been here in Washington on numerous occasions but has not addressed a joint session of Congress since 1996.

In our Nation's history, we have invited over a hundred leaders of 50 different countries to speak before joint sessions of Congress. At this time with the enemies of America and Israel looking for weaknesses in our close relationship, we can show them that Israel is our friend and will be our friend and that we want to hear from its leader, Prime Minister Netanyahu. With the magnitude of international events and the tensions swirling in recent years and the threat of nuclear proliferation in the Middle East, it is desperately important that we show the world the importance of our relationship with Israel by inviting Prime Minister Netanyahu to come address this body. The sooner we extend such an invitation, the more stabilizing it will be. And then signature lines from Members of Congress. I've got over 40. But we need most of this body to sign on. We need to send that message.

The letter to colleagues basically highlights the same things.

And with regard to the flotilla, it points out in this letter that we'll send the ''dear colleague'' letter asking them to sign on the letter requesting Majority Leader REID and Speaker PELOSI invite Prime Minister Netanyahu, this letter says—and let me preface this by saying it was entirely predictable that there would be an effort to test our commitment to our ally Israel. It was entirely predictable. When you show that separation between your strongest ally to your enemies, then your enemies are going to think about testing to see if this may be a good time to attack. And that's what the flotillas were doing. They were a test.

And what they saw was the United States, through this administration, being reluctant to jump out there and make it clear how inappropriate it was to send people to intentionally run the blockade when all Israel was trying to do was protect themselves.

So, Mr. Speaker, I'm hoping that people will encourage their Members of Congress to sign on so we can get the Prime Minister here as quickly as possible so that the world will see both sides of the aisle standing and applauding this great leader of this great nation.

And then there is a resolution. People keep talking sanctions, and it is beyond time to talk about sanctions. According to IAEA, Iran already has enough enriched uranium for two nuclear weapons. How many do you think it would take to wipe out the small nation of Israel?

And they made clear, Ahmadinejad's made clear, we're not going to stop with wiping out Israel. We want to wipe out the little Satan, Israel, and then the big Satan, the United States. And we saw on 9/11 how vulnerable we can be, and you begin to realize, man, you set off a nuclear weapon in New York, Houston, L.A., Chicago, other points that are critical to our protection, and with a handful of nuclear weapons, you could debilitate this country to an enormous extent.

And then we're told a greater risk is if you can get an EMP, electromagnetic pulse, generated from a nuclear weapon a few hundred miles above the middle of the United States, it would fry every computer chip in the country. The power would go out indefinitely. Wal*Mart says they wouldn't be able to function if all of their computers are fried.

It's time to act. We cannot wait. And this resolution goes through, points out quotes from Ahmadinejad, quotes from our great President in saying that as he said that bond is much more than a strategic alliance between us and Israel.

We have got to act, and I hope people will sign on this resolution when we come back next week because we've got to get this done. We need to show our support for Israel. We need to quit playing games with this critical ally in such a difficult area.

You want to talk about peace? Like Patrick Henry said, People talk peace, but there is no peace. And I can tell you there will not be peace in the Middle East of any nature until people know that this Nation, America, will go to war against anyone that breaches the peace or attempts to breach the peace as this flotilla did.

So, Mr. Speaker, I see the indication my time is expiring. And I appreciate the opportunity to be here and discuss these important issues.

And with that, I yield back my time.

GET A BUDGET

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

Mr. DJOU. Mr. Speaker and colleagues, I'm rising to speak very briefly on the fiscal situation facing our Nation today.

Mr. Speaker and colleagues, I have the privilege of having won a special election in the State of Hawaii just a couple weeks ago. I'm the junior-most Member, of course, right now in the U.S. House of Representatives. But I ran on a very simple platform: that we need to put our fiscal house in order, that our government is spending far too much money, and the mentality here in Congress today is that of spend, spend, and spend some more and if that doesn't fix the problem, throw more money at it. That is, I believe, a recipe for a fiscal disaster.

I pledged to my constituents in the State of Hawaii that I will never ever forget that every single dollar the government spends comes from a family like yours. And right now, we're spending far too much of that money.

Mr. Speaker and colleagues, I want to highlight what transpired yesterday in the Budget Committee in the hearing by Federal Reserve Chairman Ben Bernanke.

In that hearing, during which I had the privilege of questioning the Federal Reserve chair, I thought he highlighted some very important measures that our Nation should take note of and this Congress must take note of.

The Federal Reserve chairman pointed out that currently our budget deficit here in the U.S. Congress, in his words, is not sustainable. The Federal Reserve chairman clearly articulated that we need more fiscal restraint, and right now unless the Federal Government gets a control of its enormous budget deficit, major problems and consequences will occur to our national economy.

The Federal Reserve chair pointed out to all of us right now that although a Federal budget deficit of hundreds of

billions of dollars—or in our case right now, trillions of dollars—might be okay in the short term if there is a fix, over the long term it will seriously damage our Nation's economic growth prospects.

The Federal Reserve chair, when I asked him, pointed out that perhaps a budget deficit of about $300 billion could be sustained. We are, of course, looking today at a Federal budget deficit well in excess of $1 trillion—with no end in sight. And what's even more troubling to me is the Federal Reserve chairman pointed out to this Congress that we have no fix in place.

Mr. Speaker and colleagues, I want to reiterate and further urge all of the Members of this Congress as we go through this budgeting process—and it is a tragedy that this Congress has still yet to pass a budget—we have to exercise greater fiscal restraint, reduce the amount of enormous spending going on in this government. If we do not take care of our Nation's budget deficit, this budget deficit will take care of us.

I remind all of the Members of this Chamber we do not have to look any further than what's happening in the nation of Greece right now and the fiscal and enormous financial problems going on in Europe. If our Nation and our Congress do not restrain the spending, reduce taxes, and limit government, we will be in the same mess.

BP OIL SPILL DISASTER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Virginia (Mr. CONNOLLY) is recognized for 60 minutes as the designee of the majority leader.

Mr. CONNOLLY of Virginia. Mr. Speaker, in the United States right now we are experiencing an environmental catastrophe. We are experiencing with the BP oil rig the largest single oil spill in American history. It's a little hard to contemplate just how big this oil spill is; 21 million to 44 million gallons of oil—four times the oil spilled in the Exxon Valdez disaster—have so far spilled into the Gulf of Mexico. 12,000 to 25,000 barrels a day—that's a million gallons a day—are spilling, a rate 12 to 25 times higher than BP's original highest estimate of 4,600 gallons a day. The biggest oil spill in American history.

If we want to know just how big that is, this is the extent of the oil spill today in the Gulf of Mexico. It is the equivalent in terms of size of Delaware, Rhode Island, and Connecticut combined. Think of that geography. Hundreds of square miles. That's what this is.

Just recently it was announced that underwater plumes, not just the surface plume depicted here, have been detected 150 miles away in distance from the original site of the oil spill.

Locally what that means is essentially we have an oil spill, a surface oil spill that covers the territory that would be the equivalent of the distance between Washington, D.C., and New York City. That's as of today. In my 11th Congressional District of Virginia, that would mean starting in Dale City near Manassas in Prince William County and going as far as Wilmington, Delaware. That's the thick oil spill.

The broader oil spill, as I said, would go all the way to New York City. That's an extraordinary stretch in terms of this oil spill.

This oil spill could have been prevented.

In 1969, an oil well spilled 200,000 gallons of crude oil on the California coast. In response, like this and other environmental issues, like the burning of the Cuyahoga River, Congress passed the National Environmental Policy Act, known as NEPA, in 1969.

□ 1700

NEPA requires companies to plan to avoid environmental disasters like that 1969 Santa Barbara oil spill by conducting simple environmental impact statements. Ironically, the Minerals Management Service, known as the MMS, granted the Deepwater Horizon rig a categorical exclusion from this process so it did not have to conduct an environmental impact statement based on research in 2007 in which the MMS, the regulator, decided that a deepwater spill would not exceed 4,600 barrels and would never reach the shoreline. What a tragic, ironic twist of fate. None of that turned out to be true.

Congressional Republican majorities and the Bush administration even directed agencies to use categorical exclusions for oil development. Action by the Secretary of the Interior in managing the public lands, it said, or the Secretary of Agriculture in managing national forest systems lands with respect to any of the activities described in subsection B shall be subject to a rebuttable presumption that the use of categorical exclusion under the NEPA of 1969 would apply if the activity is conducted pursuant to the Mineral Leasing Act for the purpose of exploration or development of oil or gas. An explicit exemption made for oil drilling in America by the previous administration. Just following the NEPA process could have led to a review that would have resulted in better safety equipment. Might have even resulted in an inspection that might have caught early the flaws in this design.

The 2009 Government Accountability Office report said that during the previous administration categorical exclusions were issued far too frequently and it could lead to serious problems. Well, indeed, it did. I find this particularly ironical because, in my district, we have been fighting for a long time to get rail to Dulles, an extension of the rail system here in metropolitan Washington to Dulles International Airport. We finally got that process approved last year, but that process required a NEPA review. This is a public transit project, but it had to go through a 2-year environmental review that cost millions of dollars of taxpayer-funded money for a public project. But ironically, a private oil rig in the Gulf of Mexico was excluded from that process. It didn't have to do it.

I see on the floor my friend from Oregon (Mr. BLUMENAUER). I yield to the gentleman.

Mr. BLUMENAUER. I appreciate the gentleman's courtesy, as I appreciate his leadership, and I think it is important for people to understand the genesis of the problem that we are facing here now.

We've heard some of our friends on the other side of the aisle come to the floor somehow trying to lay this at the feet of the President of the United States, but sadly, what has happened here in the gulf is a direct result of policies that we have seen implemented by our friends on the other side of the aisle when they were in charge, particularly under the watch of President Bush, where it was routine to come to the floor repeatedly in efforts to undercut environmental protections, where agencies that were supposed to regulate the industry were stopped with refugees from the very industries, from lobbyists and association executives who are going back now and looking at from whence they had come.

We had situations that, by the end of the Bush administration, it was clear in the MMS that there were people in that critical agency tasked by law with the protection of the public interest who were not only avoiding that responsibility, they were literally in bed with the industry.

I look forward to an opportunity in the course of the next few minutes to discuss with you further the genesis of the problem that we face and approaches that we should be taking to make sure that we're no longer held hostage to what even President Bush referred to as our addiction to oil.

Mr. CONNOLLY of Virginia. I thank my colleague, and I think his point is a very cogent one, and it's even worse than we're discussing because not only did we consciously decide during the Bush administration and by previous Congresses, frankly controlled by our friends on the other side, consciously to exclude such oil drilling from the regular environmental review that could have detected problems, but it was worse than that.

Let me give an example in terms of what measures that at least could have mitigated the impact of this disaster. Canada, as my friend from Oregon knows, requires deepwater rigs to have contingency plans for offshore oil drilling, including the capability to drill relief wells soon after constructing primary wells. If this well, this Deepwater Horizon well, had predrilled such relief wells, it would have allowed the closing of the leak weeks ago, but they weren't required to do so.

Norway and Brazil require something called acoustic valves which are

backup devices for closing the pipe of a blowout preventer. In 2003, under the Bush administration, the Minerals Management Service concluded that the $550,000 acoustic system is not recommended because it tends to be very costly. I would say to my friend from Oregon, as he knows, as of June 7, the response to this oil spill cost $1.25 billion and climbing. That $550,000 investment in an acoustic valve could have saved billions of dollars and could have saved an ecosystem now at incredible jeopardy.

I yield again to my friend from Oregon.

Mr. BLUMENAUER. Thank you. As I am listening to your presentation, talking about what could have happened, what should have happened, and looking at the magnitude of the devastation that we are facing in an ongoing disaster, I was reflecting on my experience here in the House under Republican control and the Bush administration where their first instinct—the gentleman will recall because he was an important elected official just across the Potomac and had a front-row view of what was happening here—that the Vice President convened a secret energy consultation group, his energy task force, which to this day has not been revealed in terms of who were the members—although we're most certain that there were people from BP, for instance, that were there—that from the outset it was all about trying to cut through these red tape items, the environmental protection, things that got in the way of energy production, and not focusing on priorities that would have reduced our reliance on fossil fuels.

Indeed, there were 105 recommendations. Only 7 involved renewable energy. We watched, in the year that followed, the Bush administration actually propose cuts in the renewable energy budget and had tax breaks that they worked on with the Republican leadership to provide incentives for more dirty oil production and consistently fought against efforts that we brought to the floor, including in some instances bipartisan amendments to raise the fuel efficiency standards that hadn't been increased in a quarter century.

I'm reflecting on that and saddened that that was the thrust for most of the last decade, instead of putting us in a position where we would be less reliant and have better protection.

Mr. CONNOLLY of Virginia. Again, I agree with my friend from Oregon completely, and as he points out, this didn't happen by an act of God. This happened because of lax or no regulation, regulation we knew was necessary and we took a chance. We took a chance. And we took a chance, why? Because of the almighty dollar. We took a chance because of Big Oil money, making sure that it influenced the process and made sure that it was exempted from normal regulatory review. And you have to ask yourself in those kinds of circumstances, well, what could go wrong?

Let me enumerate a little bit what has gone wrong: 200,000 commercial fishing, processing, and retail jobs in the gulf for fishing and seafood on ice; $659 million in annual value on 1.27 billion pounds of seafood caught in the gulf, the largest source of seafood in America, not including the value of fish processing or retail or people's salaries, in jeopardy; $5.5 billion annual value of commercial fishing industry in the gulf coast, including the value of fish harvest processing and retail, in jeopardy; $12 billion of expenditures for 25.4 million recreational trips in the Gulf of Mexico at risk; $9 billion in wages for tourism-related industries in the Gulf of Mexico, employing 600,000 people.

That's what's at risk for a mindless, ''drill, Baby, drill'' approach, instead of a thoughtful, careful approach that balances this kind of sourcing of oil with the readily available alternative energy sources that we should have, could have been investing in as well.

Since this oil spill, over 27,000 claims have been filed by people and businesses whose livelihoods have been harmed or lost entirely. They've filed claims for damages with BP. Through June, BP will have paid $84 million in lost income claims to people whose jobs already have been lost in the gulf. Over 78,000 square miles of the gulf are closed to fishing today because of this spill because it's not safe. The University of Central Florida estimates that the oil spill could cut Florida tourism in half, the largest single source of revenue for the State of Florida, eliminating 195,000 tourism-related jobs and eliminating $10.9 billion of tourist-generated economic activity in Florida alone.

I see our colleague from Colorado (Mr. POLIS) is on the floor, and I now yield to him.

Mr. POLIS. I thank the gentleman from Virginia.

This disaster of great proportion is indicative of the culture of deregulation and the influence of the special interests in the oil industry and the prevalence of those interests within the Bush administration, embedded into the regulatory structure. These interests within the Department of the Interior fought tooth and nail Secretary Salazar's attempts to bring balance back to the oil and gas industry. They fought with claims of severe economic hardship. Well, as the gentleman from Virginia talked about, I think the people of the gulf coast will be experiencing severe economic hardship, much worse than anything that these oil companies were worried about.

All actors involved with this unmitigated disaster have taken steps to try to limit their own liability. BP and Transocean have tried to spread their profits among shareholders. They've been giving dividends. They have been trying to decentralize their coffers, already scheming to get themselves off the hook and to put taxpayers on the hook. These oil companies are now trying to maneuver to get taxpayer bailouts for their own bad practices and their own failure to prevent what was a preventable disaster.

The use of highly toxic dispersants have exacerbated the damage, leading to underwater plumes of oil. It turns out that the emergency response plan of BP was riddled with errors, had falsities. It even listed people who were no longer alive as points of contact in the event of a disaster.

We need, and I'm sure we will have, a full public accounting of the fallacies and the flaws in the planning process with BP and their contractors that have led to this disaster, and it's critical for our Congress to make sure that these maneuvers to get off the hook for their own failure to prevent this catastrophe will not meet with success and that the responsibility will reside with BP and their contractors.

NEPA requires an assessment of environmental impact for any major project on Federal lands, but loopholes were placed in that policy in 2005, including a categorical exclusion, saying that oil drilling doesn't have any risk and, therefore, shouldn't need to do an environmental assessment.

□ 1715

The Deepwater Horizon was granted a categorical exclusion in 2007 under the Bush administration. Ironic, because NEPA was first initiated in 1968 as a response to an oil spill offshore, yes, off the coast of California, stripped of the very provisions that are one of the main reasons for its passage by the Bush administration.

We as a Congress need to address the statutory side, and I know that Secretary Salazar is working hard to fight the entrenched interests from the oil and gas industry that seek to influence the actions of the Department of the Interior.

I thank my colleague from Virginia for helping to raise this important issue.

Mr. CONNOLLY of Virginia. I thank my colleague from Colorado.

I yield again to our friend from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I do appreciate our friend from Colorado talking about the history here, because we hear people come to the floor to somehow lay this at the foot of President Obama, who has been busy since the moment he took office dealing with a series of disasters that he inherited.

But the approach that has been taken by the Republicans when they were in the majority actually set the stage for this. In 2003, they added an exemption for all oil and gas construction activities from the provisions of the Clean Water Act. They had a stipulation that the BLM had only 10 days to make drilling permit decisions. They had new authority for the Department of the Interior to permit new energy projects in the Outer Continental

Shelf without adequate oversight or standards and then providing, on top of that, $2 billion for already profitable companies to drill in ultradeep water.

It is absolutely scandalous that we have had this steady assault. Luckily, we stopped that in 2003 when the other body used the filibuster constructively. But we faced it in 2005, as they actually were able to put those provisions in place, which our friend from Colorado and you, sir, Mr. CONNOLLY, have pointed out. It continues to bedevil us.

Sadly, some of our friends on the other side of the aisle simply haven't gotten the point. In this Congress, the gentlewoman from Minnesota, Mrs. BACHMANN, who has no shortage of opinions on this, introduced legislation that would have required, would have required that the Secretary of the Interior waive any application of Federal law that requires a permit under lease for drilling. It would require a waiver from all of those nagging little requirements any time oil got expensive, over $100 a barrel, throw it all out the window, and yet has the audacity to try and shift responsibility under this.

I think it is something that we all need to be focusing on and not allow the people who helped create this problem to rewrite history.

Mr. CONNOLLY of Virginia. I, again, am in complete concurrence. This didn't happen somehow by happenstance. This happened by virtue of a conscious decision, by Congress' control, by our friends on the other side, and by the Bush administration to find all kinds of waivers and exemptions from normal regulatory review and from simple commonsense protections in the event something did go wrong, all at the altar of oil exploration and fossil fuel energy dependence, quite frankly. It could have been prevented and it could have been mitigated.

There was another one of our colleagues who, during the campaign of 2008, accused the Democratic Congress that came into power after the elections of 2006 of being the drill-nothing Congress, and she called on Mr. MCCAIN to open up ANWR and both the east and west coast to unrestrained oil drilling for the sake of energy independence, a worthy goal. But that's not the only answer, and we have to weigh the costs and the benefits when we open up unrestricted oil drilling on pristine coasts.

Let me talk, if I may, just about my own home State of Virginia, what could go wrong in Virginia. I am a member of the Virginia delegation who has opposed unrestricted opening up of our shores to oil drilling because of the feared consequences if something went wrong.

What's at stake? Tourism in Virginia Beach alone in Virginia generates $1.4 billion annually in economic activity. Tourism in Virginia Beach alone supports 15,000 jobs. Virginia has the longest stretch of undeveloped barrier islands on the east coast, irreplaceable habitat for birds in the east coast flyaway.

All of these resources would be lost to an oil spill off Virginia's coast if it were comparable to the oil spill that has hit the gulf coast. In fact, closer to home, the entire Chesapeake Bay would be covered by a film of oil today if that oil spill had occurred here instead of occurring in the gulf coast.

In addition, unrestricted oil drilling threatens the presence of the United States Navy in Virginia, terribly important in terms of military investment in the Commonwealth of Virginia. The Deputy Secretary of Defense for Readiness issued a report in May that stated explicitly that offshore oil development would impair Navy operations in 78 percent of the area, in a recently proposed lease sale, to 20.

The Department of Defense said that all development could preclude live ordnance testing, aircraft carrier movement, shipping trials, and other surface and subsurface training. Offshore oil development could result in the Navy moving an aircraft carrier out of Norfolk, reducing job opportunities and contractors in Virginia.

We have a lot at stake economically in my State. There's the environmental consequences, but there is also the presence of the Navy that could be jeopardized if we moved to the ''drill, baby, drill'' philosophy of offshore oil drilling.

Mr. BLUMENAUER. I appreciate your putting in context not just the potential threat to your State of Virginia, but to all of us here who work and celebrate our capital region and the Chesapeake Bay, having those precious resources at risk.

I appreciate your exploring a dimension that I must admit I really hadn't thought through adequately: the threat unregulated, indiscriminate, offshore oil drilling could pose to military readiness. Your point about what could happen in terms of naval operations and training is one that I don't think has been given voice in this debate. I have been spending a lot of time working on it. This is new information to me, and I deeply appreciate your putting it out before the American public this evening.

I think this issue that we are wrestling with has many dimensions that require us to step back and expand the scope of inquiry, the need for our fixing a broken regulatory system.

We have referenced the fact that the administration, despite the previous administration talking about the addiction to foreign oil, did nothing about it, and, in fact, even after we regained control, worked against our efforts to try and increase efficiencies.

It's going to take time. I agree that the administration needs to move quickly to weed out the MMS. I wish they could have cleaned house earlier, but obviously these things take time. It's hard to undo 12 years of running roughshod over safety and environmental regulations in 17 months. But it is also a vivid call for a new energy future in which the deepest water is the last place we look, not the first, for new energy sources.

I would look forward to discussing that further, but I know you have, Mr. CONNOLLY, some specifics in terms of some of the legislative provisions that we have been working on as Democrats in Congress.

Mr. CONNOLLY of Virginia. Yes, we need to clean up the mess we inherited from previous Congresses and, frankly, from the previous administration. Today, for example, the House passed S. 3473, which increases advanced cleanup funding paid for by BP so that the Coast Guard can use those funds for oil cleanup.

I have introduced a bill just tonight that would prevent the evasion of the NEPA process; moving forward, no more categorical exclusions for deepwater oil drilling. They have to pass the NEPA review process, just like my transit system and rail to Dulles did in a public project.

H.R. 5214, the Big Oil Bailout Prevention Act, introduced by our colleague, Mr. HOLT from New Jersey, would raise the oil liability cap from $75 million to $10 billion so the taxpayers aren't left holding the bag because of an accident caused by the negligence of an oil company such as BP.

Our colleague from the State of Washington (Mr. INSLEE) is introducing legislation to require oil wells to use the best available safety technology, which might borrow from technology that's already available and being used by countries like Canada, Brazil, and Norway. Of course, you, Mr. BLUMENAUER, have or will soon introduce legislation to repeal the oil and gas tax loopholes and direct funds to clean energy.

The ultimate solution is to get off fossil fuel dependence and look to, in a meaningful way, those alternative sources of energy that could really help lessen our dependence, if not wean us entirely off, the dependence on foreign oil.

In my own home State of Virginia, the potential offshore wind power is enormous, dwarfing the potential for offshore oil.

For all of the sturm und drang in my State about whether we should drill, baby, drill off the shores of Virginia, the entire estimate of reserves, maximum, off the shore of Virginia, with the largest coastline, barrier island coastline on the east coast, is the equivalent of no more than 6 days of oil supply.

Do we really want to risk the tourism industry, our environment, perhaps permanently, and the presence of the Navy in a State that has always been home to the United States Navy for 6 days' worth of supply? I think not.

So the Democrats in this House have, in fact, introduced legislation that will address and remedy this situation and make sure that never again are American citizens put at risk by the negligent behavior and the unregulated behavior of Big Oil offshore oil drilling.

Mr. BLUMENAUER. I must say how much I appreciate the legislative approach that you bring to the job. I can see the experience and leadership that you demonstrated in years of actual hands-on dealing with the public in a very direct and personal way in local government with some spectacular successes across the river from our Nation's Capitol, as evidenced in the simple, commonsense approach that you are taking here in terms of being practical, being direct, things that will make a difference. I really appreciate that spirit that you bring to the Capitol.

Mr. CONNOLLY of Virginia. I thank you for your courtesy and graciousness, but I would say that clearly my colleague from Oregon is a model for all of us, especially those of us new here to the Congress, for his environmental leadership and for his legislative legerdemain.

Mr. BLUMENAUER. I would like to pivot, if I could, just on the last point that you made, which I think, at the final analysis, is the most important.

It is important to understand history. It's important to not allow people who got us into this mess to rewrite it, to point fingers, to obscure, to try and get partisan advantage from something that they, sadly, helped create in the first place. That would be a tragedy in and of itself.

But it is where we go from here, what we learn from these lessons, what we understand is required. It is outrageous to me that the spill off the Santa Barbara coast that inspired the first Earth Day was fought with essentially the same technologies that we have available today.

□ 1730

All the time, all the energy, the resources that were thrown at it by the Federal Government was used basically by the industry to have more and more esoteric, sophisticated deep-drilling opportunities, not dealing with making sure that it was safe.

So we are trapped in time 40 years at the negative end of this equation, when the ultimate disaster, which was predictable, perhaps not avoidable, but is much worse because of the focus.

But it is the transition to clean energy technology that I would conclude my remarks. I see we've been joined by our friend we have referenced earlier, our colleague, Congressman HOLT, who has some great legislation moving.

But I would just conclude my observations that we don't want to be in a position where we continue to be tethered to the oil spigot, to have the United States consume 10 percent of the world's oil supply going back and forth to work every day, that it is past time for us to move forward.

I appreciate the leadership of both you gentlemen in our livable communities issues, where we provide more tools to local government and more choices to people so they don't have to burn a gallon of gas to get a gallon of milk, that there are more sensitive land uses, that we fight against mindless sprawl, that we give people an alternative to the automobile in case they don't want to drive or can't afford to drive or maybe there are some people that we all know who probably shouldn't drive—giving them choices to walk and use transit, cycles; be able to make a system that is more sustainable, that is complemented by a clean energy future with tidal, wind, solar, geothermal, and investment in making our facilities now more energy-efficient.

We have the capacity right now, with what we know how to do, things that we have off the shelf or almost ready for installation, we could be completely Kyoto-compliant, save consumers and taxpayers money, and preserve our national security.

I hope that this is one of the lessons we carry away, not just understanding history, not just taking some of this terrific legislation that will help a difficult situation be a little better and take the taxpayer off the hook, but make sure that we are not in this dependency in the future.

Thank you. And I really appreciate your leadership in presenting this today and your courtesy in permitting me to take part.

Mr. CONNOLLY of Virginia. I thank you so much.

I think our colleague from Oregon has done such an incredible job in this body on so many environmental fronts, not least of which, of course, the livable community initiative that he made reference to.

Thank you so much for joining us tonight.

I see our friend from New Jersey (Mr. HOLT) is here, and I now yield to Mr. HOLT.

Mr. HOLT. I thank my good friend from Virginia.

I, too, want to pay tribute to the work that our colleague from Oregon has done under the umbrella of liveability, having to do with transportation, housing, I mean, even such things as the location of post offices in town.

There are so many things over the years that Mr. BLUMENAUER has worked on to try to make communities livable and sustainable—sustainable in the way they produce and use energy, and livable in the sense of getting the best quality of life through our transportation decisions, our housing decisions.

What is so heartbreaking about the catastrophe that is under way in the Gulf of Mexico right now is that it did not have to be.

As I left to join you here on the floor, they were showing on one of the news networks fish flopping sadly, trying to get air, trying to get out of the oil, clearly doomed. We have seen the birds washing ashore.

It did not have to happen.

The oil spill is unprecedented in scale, but it is not unprecedented in kind, in our experience. In fact, I was talking with the Administrator of the Environmental Protection Agency yesterday, and she said, do you know how many oil spills we're dealing with essentially daily? Not on this scale, but it should be expected, it can be expected, in fact it must be expected that, if you drill, you will spill.

As our colleague from Oregon was saying, for BP to go into this with no preparation whatsoever—I mean, they talk about they are a company that manages risk. Well, if they manage risk, they know, by definition, things can go wrong. That's what risk means: There is a down side. Well, what preparations, what plans, what studies, what research did they do for the down side? None.

Now, we are in the process of not only extending the liability limit—and today we removed the per-incident limit so that the Coast Guard is not constrained by the $150 million limit, which they are already pushing up against—but we also must make sure that there is an enforcement of standards within the Minerals Management Agency separating those who grant the leases from those who collect the royalties on the leases from those who enforce the standards. We haven't done that. So we must do that, and we must do that soon, so that if any oil drilling is going to continue, that preparations are made for the down side.

I hope, in fact, that we wean ourselves from this archaic fuel as soon as possible. I mean, what does the word ''fossil'' mean to most people? That means out of date. What we are talking about here, what these companies have been developing ever-more-sophisticated technologies to do is to bind ourselves more strongly to an archaic way of powering our society and our economy. It is archaic. We should be moving away from it as rapidly as possible so that this won't happen again, because it need not happen again.

I thank my friend for drawing our colleagues' attention to this and talking about those things that we will be doing over the next couple of weeks, lifting the liability limits to put in place research programs and regulatory programs for the future.

Mr. CONNOLLY of Virginia. I thank our friend from New Jersey and thank him for his leadership as well.

Let me close by pointing out that there is a danger to bumper-sticker public policy making. Those who lived by ''drill, baby, drill'' now have to examine not only their consciences but the consequences of the actions that flowed from that strident call. ''Drill, baby, drill'' has now become ''spill, baby, spill.''

The Governor of Louisiana today, Bobby Jindal, when he was in this body in 2005 said the following: ''We have a choice. Many of my colleagues do not want us drilling for oil off the coast of Florida and do not want us to drill for oil off the coast of California. I would ask those colleagues to join with me in

providing incentives so that we can drill for oil in the deep waters of the Gulf of Mexico. The people of Louisiana,'' he said, ''welcome this production. We know it is good for our State, our country, and our economy.''

I wonder if the Governor of Louisiana might pause today in calling for the government's assistance to clean up the worst oil spill, and arguably one of the worst environmental disasters ever to descend on our country, to consider whether that public policy statement made sense then and whether it makes sense now.

The consequences of that philosophy of unrestricted oil drilling, irrespective of the environmental concerns, irrespective of the need for reasonable and prudent regulatory oversight to protect the public from precisely this kind of unmitigated disaster, have now actually happened because a whole bunch of people in a position to know better put oil ahead of everything else, including the public interests.

I yield to my friend from New Jersey.

Mr. HOLT. I thank the gentleman.

You spoke earlier about the liability, a very important principle that has been to some extent and should be to the full extent of American law in this area, which is, ''polluter pays.'' That has been the basis of the Superfund program. That should be the basis for the oil liability legislation.

BP has said they will pay reasonable costs and that sort of thing. We shouldn't have to take their word for it. We shouldn't have to take the word of a company that has flagrantly cut corners in the past at huge cost to life and natural environment, whether you're talking about the Texas City refinery, whether you're talking about the blowouts on the North Slope of Alaska, whether you're talking about the blowouts on the pipeline in Alaska, whether you're talking about failure to level with the American public and even with the Coast Guard and the experts on how much oil was escaping from this very well. The number keeps shifting, and the oil company, I think, has not been fully forthcoming.

So this company asks us to take their word for it that they will pay, that they will pay for the cleanup, that they will pay for the environmental damages, they will pay for the economic damages and dislocation. I want that established in law. The liability limit should be raised to many billions of dollars, if there is a limit at all.

Now, some here in the Congress, particularly from the other side, have said, ''Well, but you'll drive out the mom-and-pop, you'll drive out the small independents.'' Well, you have to have the ability to prevent and repair and pay for any damages when you go into business.

The point of the oil liability legislation is not to protect small businesses; it's to protect our environment and the life of American citizens and the well being and economic opportunities for American citizens. And that means that the consideration should be how much damage can be done, and the liability limit should be large enough to cover the damage that can be done, not to ask whether this is going to put too much of a burden on a small company. The consideration should be, what is the damage? And there should be adequate liability to cover that.

I'm hopeful that, in the next week or so, we will raise this liability limit from the laughably small number of $75 million to at least $10 billion. And I thank the gentleman for joining me in this effort. The American public is crying for it. They want to know that in law and in fact BP will be held responsible for the damage they have done.

□ 1745

Mr. CONNOLLY of Virginia. I thank my colleague from New Jersey. Again, I thank him so much for his participation tonight and for his leadership, especially in leading us in a legislative remedy.

I want to end with this: on June 10, 2008, one of our colleagues actually said the following:

There are 3,200 oil rigs off the coast of Louisiana. During Katrina, not a single drop was spilled. Actually, 600,000 gallons were spilled, but more than 7 billion barrels have been pumped from these wells over the past quarter century. Yet only 1–1/1000th of 1 percent was spilled. We would suggest that JOHN MCCAIN revisit his reservations about ANWR and run against the ''drill nothing'' Congress. Energy development and the environment are not mutually exclusive. In fact, this Republican colleague said, we would suggest that the first joint town hall meeting with Barack Obama, proposed by MCCAIN, be held on one of those offshore Louisiana rigs.

Surely, I hope our colleague did not mean this rig, the one that blew up, caught on fire, cost a number of lives, and led to the largest environmental disaster in American history.

Mr. Speaker, I yield back.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DAVIS of Illinois (at the request of Mr. HOYER) for today.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

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

Mr. TOWNS, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. HOLT, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mrs. MALONEY, for 5 minutes, today.

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

Mr. MORAN of Kansas, for 5 minutes, June 17.

Mr. POE of Texas, for 5 minutes, June 17.

Mr. JONES, for 5 minutes, June 17.

Mr. BOOZMAN, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, June 14, 15, 16, and 17.

Mr. SMITH of New Jersey, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

ADJOURNMENT

Mr. CONNOLLY of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 46 minutes p.m.), under its previous order, the House adjourned until Monday, June 14, 2010, at 12:30 p.m., for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Speaker-Authorized Official Travel during the third quarter of 2009 and the second quarter of 2010 pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JENNIFER M. STEWART, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 29 AND MAY 4, 2010

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Jennifer M. Stewart	4/30	5/01	Qatar		164.00		8,578.00				8,742.00
	5/01	5/02	Afghanistan		78.00						78.00
	5/02	5/03	Pakistan		262.00						262.00
Committee total					504.00		8,578.00				9,082.00

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JOHN A. BOEHNER, May 28, 2010.

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2010

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Adam Schiff	6/27	6/30	Jordan		$1,021.18						$1,021.18
	6/30	7/1	Algeria		531.00						531.00
	7/1	7/3	Tunisia		501.74						501.74
Misc. Embassy Costs							[3]		1,570.44		1,570.44
Local Ground Transportation							573.18				573.18
John Blazey	6/27	6/30	Jordan		1,021.18						1,021.18
	6/30	7/1	Algeria		531.00						531.00
	7/1	7/3	Tunisia		501.74						501.74
Misc. Embassy Costs							[3]		1,570.44		1,570.44
Local Ground Transportation							573.18				573.18
Shalanda Young	6/27	6/30	Jordan		1,021.18						1,021.18
	6/30	7/1	Algeria		531.00						531.00
	7/1	7/3	Tunisia		501.74						501.74
Misc. Embassy Costs							[3]		1,570.44		1,570.44
Local Ground Transportation							573.18				573.18
Clelia Alvardo	6/27	6/30	Jordan		1,021.18						1,021.18
	6/30	7/1	Algeria		531.00						531.00
	7/1	7/3	Tunisia		501.74						501.74
Misc. Embassy Costs							[3]		1,570.44		1,570.44
Local Ground Transportation							573.18				573.18
Elizabeth C. Dawson	6/28	6/30	France		1,418.00						1,418.00
	6/30	7/3	Belgium		1,224.00						1,224.00
Commercial Airfare							7,367.48				7,367.48
Hon. David E. Price	8/1	8/3	Canada		704.29		[4]		[5]		704.29
Hon. Harold Rogers	8/1	8/3	Canada		704.29		[4]		[5]		704.29
Hon. Ciro Rodriguez	8/1	8/3	Canada		704.29		[4]		[5]		704.29
Hon. John Carter	8/1	8/3	Canada		704.29		[4]		[5]		704.29
Stephanie Gupta	8/1	8/3	Canada		704.29		[4]		[5]		704.29
Ben Nicholson	8/1	8/3	Canada		704.29		[4]		[5]		704.29
Kristi Mallard	8/16	8/17	Norway		539.23						539.23
	8/17	8/20	Germany		1,080.00						1,080.00
	8/20	8/24	Hungary		1,062.17						1,062.17
	8/24	8/26	Italy		1,270.00						1,270.00
Commercial Airfare							9,338.44				9,338.44
Misc. Transportation							[3] 62.00				62.00
BG Wright	8/16	8/17	Norway		539.23						539.23
	8/17	8/20	Germany		1,080.00						1,080.00
	8/20	8/24	Hungary		1,062.17						1,062.17
	8/24	8/26	Italy		1,270.00						1,270.00
Commercial Airfare							9,338.44				9,338.44
Misc. Transportation							[3] 120.00				120.00
	8/4	8/5	Kuwait		494.08						494.08
	8/5	8/7	United Arab Emirates		827.42						827.42
	8/7	8/9	Germany		722.56		[3]				722.56
Hon. Sanford Bishop	8/4	8/5	Kuwait		494.08						494.08
	8/5	8/7	United Arab Emirates		827.42						827.42
	8/7	8/9	Germany		722.56		[3]				722.56
Hon. Carolyn Kilpatrick	8/4	8/5	Kuwait		494.08						494.08
	8/5	8/7	United Arab Emirates		827.42						827.42
	8/7	8/9	Germany		722.56		[3]				722.56
Beverly Aimaro Pheo	8/4	8/5	Kuwait		494.08						494.08
	8/5	8/7	United Arab Emirates		827.42						827.42
Commercial Airfare							[3] 4,045.02				4,045.02
Adam Harris	8/4	8/5	Kuwait		494.08						494.08
	8/5	8/7	United Arab Emirates		827.42						827.42
	8/7	8/9	Germany		722.56		[3]				722.56
John Blazey	8/1	8/4	Poland		435.00						435.00
	8/4	8/7	Germany		837.00						837.00
Commercial Airfare							7,998.00				7,998.00
Misc. Transportation							83.30				83.30
Mike Ringler	8/1	8/4	Poland		564.00						564.00
	8/4	8/7	Germany		837.00						837.00
Commercial Airfare							8,027.50				8,027.50
Beverly Aimaro Pheto	8/11	8/12	Madrid, Spain		443.27						443.27
	8/12	8/13	Milan, Italy		451.80						451.80
	8/13	8/14	Florence, Italy		617.02						617.02
	8/14	8/15	Rome, Italy		600.15						600.15
Commercial Airfare							8,577.80				8,577.80
Kate Hallahan	8/9	8/10	Barcelona, Spain		445.75						445.75
	8/10	8/12	Madrid, Italy		886.54						866.54
	8/12	8/13	Milan, Italy		451.80						451.80
	8/13	8/14	Florence, Italy		617.02						617.02
	8/14	8/15	Rome, Italy		600.15						600.15
Commercial Airfare							8,264.80				8,264.80
Hon. Nita Lowey	8/4	8/6	Kenya		1,359.00						1,359.00
	8/6	8/9	South Africa		5,586.37						5,586.37
Misc. Embassy Costs									1,442.50		1,442.50
Commercial Airfare							6,226.00				6,226.00
Misc. Travel Expenses							235.00				235.50
Michele Sumilas	8/3	8/6	Kenya		494.08						494.08
	8/6	8/9	South Africa		827.42						827.42
Misc. Embassy Costs									1,442.50		1,442.50
Commercial Airfare							9,882.01				9,882.01
Misc. Travel Expenses							235.00				235.50
Hon. Kay Granger	8/30	9/2	Argentina		1,023.00						1,023.00
	9/2	9/5	Paraguay		780.00						780.00
Commercial Airfare							8,101.20				8,101.20
John Blazey	8/30	9/2	Argentina		1,023.00						1,023.00
	9/2	9/5	Paraguay		780.00						780.00
Commercial Airfare							9,763.20				9,763.20
Misc. Travel Expenses							132.00				132.00
Diana Simpson	8/30	9/2	Argentina		1,023.00						1,023.00
	9/2	9/5	Paraguay		780.00						780.00
Commercial Airfare							5,263.20				5,263.20
Mike Ringler	8/17	8/19	El Salvador		542.00						542.00
	8/19	8/21	Guatemala		554.00						554.00
Commercial Airfare							2,283.41				2,283.41
Misc. Travel Expenses									616.65		616.65
Anne Marie Chotvacs	8/17	8/19	El Salvador		542.00						542.00
	8/19	8/21	Guatemala		554.00						554.00
Commercial Airfare							2,207.70				2,207.70
Misc. Travel Expenses									616.65		616.65

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2010—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	8/29	8/31	Pakistan		180.00						180.00
	8/31	9/4	Ukraine		1,710.64						1,710.64
									335.17		335.17
Commercial Airfare							11,490.90				11,490.90
Craig Higgins	8/29	8/31	Pakistan		180.00						180.00
	8/31	9/4	Ukraine		1,710.64						1,710.64
	9/4	9/6	London		965.31				2,484.31		3,449.62
Commercial Airfare							11,629.80				11,629.80
Misc. Travel Expenses									335.17		335.17
Steve Marchese	8/29	8/31	Pakistan		180.00						180.00
	8/31	9/4	Ukraine		1,710.64						1,710.64
Misc. Travel Expenses									335.17		335.17
Commercial Airfare							11,490.90				11,490.90
Paula Juola	8/12	8/13	United Arab Emirates		463.00						463.00
	8/13	8/15	Afghanistan		162.00						162.00
	8/15	8/16	United Arab Emirates		463.00						463.00
	8/16	8/17	Italy		329.00						329.00
Commercial Airfare							10,391.00				10,391.00
Misc. Travel Expenses							70.00				70.00
Linda Pagelsen	8/12	8/13	United Arab Emirates		463.00						463.00
	8/13	8/15	Afghanistan		162.00						162.00
	8/15	8/16	United Arab Emirates		463.00						162.00
	8/16	8/17	Italy		329.00						329.00
Commercial Airfare							10,391.00				10,391.00
Misc. Travel Expenses							128.50				128.50
Christopher White	8/12	8/13	United Arab Emirates		463.00						463.00
	8/13	8/15	Afghanistan		162.00						162.00
	8/15	8/16	United Arab Emirates		463.00						463.00
	8/16	8/17	Italy		329.00						329.00
Commercial Airfare							10,391.00				10,391.00
Misc. Travel Expenses							70.00				70.00
Hon. Jack Kingston	8/27	8/30	Tunisia		725.75						725.75
	8/30	9/1	Rwanda		750.95						750.95
	9/2	9/3	Zimbabwe		142.00						142.00
	9/3	9/4	Senegal		561.96		(3)				561.96
	8/17	8/19	South Korea		798.88						798.88
	8/19	8/20	China		291.31						291.31
	8/20	8/22	Taiwan		661.26						661.26
	8/22	8/24	Hong Kong		1,055.10		(3)				1,055.10
Hon. Betty McCollum	9/18	9/21	Guatemala		686.28						686.28
Commercial Airfare							1,657.70				1,657.70
Local Transportation							1,340.88				1,340.88
Misc. Embassy Costs									2,080.16		2,080.16
John Blazey	9/26	9/28	Chile		1,095.00						1,095.00
Commercial Airfare							7,860.70				7,860.70
Misc. Transportation Costs											36.00
Committee total					73,795.05		186,757.60		16,006.04		276.558.69

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
[4] Part foreign, part domestic travel.
[5] Government aircraft.

HON. DAVID R. OBEY, Chairman, May 25, 2010.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7850. A letter from the Director of Legislative Affairs, Natural Resources Conservation Service, Department of Agriculture, transmitting the Department's ''Major'' final rule — Conservation Stewardship Program (RIN: 0578-AA43) received June 4, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7851. A letter from the Chair, Congressional Oversight Panel, transmitting the Panel's monthly report pursuant to Section 125(b)(1) of the Emergency Economic Stabilization Act of 2008, Pub. L. 110-343; to the Committee on Financial Services.

7852. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Modification of Jet Route J-3; Spokane, WA [Docket No.: FAA-2010-0008; Airspace Docket No. 09-ANM-21] received May 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7853. A letter from the Secretary, Department of Commerce, transmitting letter of certification, pursuant to Public Law 105-261, section 1512; to the Committee on Foreign Affairs.

7854. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Belarus that was declared in Executive Order 13405 of June 16, 2006; to the Committee on Foreign Affairs.

7855. A letter from the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the Ohio Advisory Committee; to the Committee on the Judiciary.

7856. A letter from the Secretary, Department of Health and Human Services, transmitting a petition filed on behalf of workers from the Canoga Avenue facility, Los Angeles County, California, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000; to the Committee on the Judiciary.

7857. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No.: 30722; Amdt. No. 487] received May 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7858. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Model DHC-8-400 Series Airplanes [Docket No.: FAA-2010-0435; Directorate Identifier 2010-NM-084-AD; Amendment 39-16283; AD 2010-10-04] (RIN: 2120-AA64) received May 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7859. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Emmetsburg, IA [Docket No.: FAA-2009-1153; Airspace Docket No. 09-ACE-13] received May 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7860. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Mapleton, IA [Docket No.: FAA-2009-1155; Airspace Docket No. 09-ACE-14] received Paralegal Specialist, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. PASCRELL (for himself, Mr. KING of New York, Mr. THOMPSON of

Mississippi, Ms. CLARKE, and Mr. DANIEL E. LUNGREN of California):

H.R. 5498. A bill to enhance homeland security by improving efforts to prevent, deter, prepare for, detect, attribute, respond to, and recover from an attack with a weapon of mass destruction, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Energy and Commerce, Agriculture, Transportation and Infrastructure, Foreign Affairs, and Intelligence (Permanent Select), 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. MICA (for himself, Mr. YOUNG of Alaska, Mr. PETRI, Mr. COBLE, Mr. DUNCAN, Mr. EHLERS, Mrs. CAPITO, Mr. WESTMORELAND, Mrs. MILLER of Michigan, Mr. CAO, Mr. PUTNAM, Mr. GRAVES, Mr. SHUSTER, and Mr. FLEMING):

H.R. 5499. A bill to amend the Oil Pollution Act of 1990 to authorize advances from Oil Spill Liability Trust Fund for the Deepwater Horizon oil spill; to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Budget, 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. DOYLE:

H.R. 5500. A bill to establish the Steel Industry National Historic Site in the State of Pennsylvania; to the Committee on Natural Resources.

By Mr. KING of New York (for himself, Mr. PENCE, Mrs. MCMORRIS RODGERS, Mr. SMITH of Texas, Mr. MCKEON, Mr. SESSIONS, Mr. ROGERS of Alabama, Mr. GOHMERT, Mr. TIAHRT, Mr. FRANKS of Arizona, Mr. BUCHANAN, Mr. LATTA, Mr. CHAFFETZ, Mr. HUNTER, Mr. MILLER of Florida, Mr. CULBERSON, Mrs. BLACKBURN, Mrs. BACHMANN, Mr. ROSKAM, Mr. AUSTRIA, Mr. OLSON, Mr. BROUN of Georgia, Mr. POSEY, Mr. BILIRAKIS, Mr. CAMPBELL, Mrs. MILLER of Michigan, Mr. DANIEL E. LUNGREN of California, Mr. LEE of New York, Mr. CARTER, Mr. MCCLINTOCK, Mr. COBLE, Mr. WILSON of South Carolina, Mr. BURTON of Indiana, Mr. LEWIS of California, Mr. CALVERT, Mr. GALLEGLY, Mr. TERRY, Mr. KIRK, and Mr. BISHOP of Utah):

H.R. 5501. A bill to prohibit United States participation on the United Nations Human Rights Council (UNHRC) and prohibit contributions to the United Nations for the purpose of paying for any United Nations investigation into the flotilla incident; to the Committee on Foreign Affairs.

By Mr. MAFFEI (for himself, Mrs. MALONEY, and Mrs. MCCARTHY of New York):

H.R. 5502. A bill to amend the effective date of the gift card provisions of the Credit Card Accountability Responsibility and Disclosure Act of 2009; to the Committee on Financial Services.

By Mr. CONYERS (for himself, Mr. MELANCON, Mr. NADLER of New York, Ms. JACKSON LEE of Texas, Ms. WATERS, Mr. COHEN, Mr. JOHNSON of Georgia, Ms. CHU, Mr. DEUTCH, Mr. WEINER, Ms. LINDA T. SÁNCHEZ of California, and Mr. BRALEY of Iowa):

H.R. 5503. A bill to revise laws regarding liability in certain civil actions arising from maritime incidents, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California (for himself, Mrs. MCCARTHY of New York, Mr. PLATTS, Mr. POLIS, Mr. COURTNEY, Ms. CHU, Mr. LOEBSACK, Mr. MCGOVERN, Mr. SESTAK, Ms. TITUS, Mr. HOLT, Mr. TONKO, Ms. FUDGE, Mr. WU, Mr. HINOJOSA, Mrs. CAPPS, Mr. PIERLUISI, Mr. SABLAN, Mr. KILDEE, Mrs. DAVIS of California, Mr. PAYNE, Mr. GRIJALVA, Mr. KUCINICH, Mr. ANDREWS, Mr. HARE, Ms. CLARKE, Ms. HIRONO, Mr. BISHOP of New York, Ms. SHEA-PORTER, Ms. WOOLSEY, and Mr. SCOTT of Virginia):

H.R. 5504. A bill to reauthorize child nutrition programs, and for other purposes; to the Committee on Education and Labor, and in addition to the Committee on the Budget, 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. BURGESS:

H.R. 5505. A bill to authorize the Secretary of Energy to establish monetary prizes for achievements in designing and proposing nuclear energy used fuel alternatives; to the Committee on Science and Technology, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONNOLLY of Virginia (for himself and Mr. POLIS):

H.R. 5506. A bill to amend the Outer Continental Shelf Lands Act to require that treatment of the issuance of any exploration plans, development production plans, development operation coordination documents, and lease sales required under Federal law for offshore drilling activity on the outer Continental Shelf as a major Federal action significantly affecting the quality of the human environment for the purposes of the National Environmental Policy Act of 1969, and for other purposes; to the Committee on Natural Resources.

By Mr. HELLER:

H.R. 5507. A bill to require the Secretary of Defense to identify areas on military installations and certain other properties as acceptable, unacceptable, or unassessed regarding their suitability for placement of geothermal, wind, solar photovoltaic, or solar thermal trough systems, and for other purposes; to the Committee on Armed Services.

By Mr. HELLER:

H.R. 5508. A bill to provide for the development of solar pilot project areas on public land in Lincoln County, Nevada; to the Committee on Natural Resources.

By Mr. HOLDEN (for himself and Mr. GOODLATTE):

H.R. 5509. A bill to support efforts to reduce pollution of the Chesapeake Bay watershed and to verify that reductions in pollution have been achieved, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Agriculture, 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. KAPTUR:

H.R. 5510. A bill to amend the Emergency Economic Stabilization Act of 2008 to allow amounts under the Troubled Assets Relief Program to be used to provide legal assistance to homeowners to avoid foreclosure; to the Committee on Financial Services.

By Mr. MARSHALL:

H.R. 5511. A bill to amend the Federal Deposit Insurance Act to codify the Transaction Account Guarantee Program of the Federal Deposit Insurance Corporation; to the Committee on Financial Services.

By Mr. PERRIELLO:

H.R. 5512. A bill to expand the boundary of Booker T. Washington National Monument, and for other purposes; to the Committee on Natural Resources.

By Ms. PINGREE of Maine:

H.R. 5513. A bill to amend the Outer Continental Shelf Lands Act to require payment of royalty on all oil and gas saved, removed, sold, or discharged under a lease under that Act, and for other purposes; to the Committee on Natural Resources.

By Mr. POSEY:

H.R. 5514. A bill to require State governments to submit fiscal accounting reports as a condition to the receipt of Federal financial assistance, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. SENSENBRENNER:

H.R. 5515. A bill to amend the Federal Power Act to establish a regional transmission planning process, and for other purposes; to the Committee on Energy and Commerce.

By Mr. STEARNS:

H.R. 5516. A bill to amend title 38, United States Code, to provide for certain requirements relating to the immunization of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. STEARNS:

H.R. 5517. A bill to amend title 13, United States Code, to require that the questionnaire used in a decennial census of population shall include an inquiry regarding an individual's status as a veteran, a spouse of a veteran, or a dependent of a veteran, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TITUS (for herself, Mr. HELLER, Mr. FRANKS of Arizona, Ms. GIFFORDS, and Ms. BERKLEY):

H.R. 5518. A bill to amend the Internal Revenue Code of 1986 to allow the energy investment tax credit and the credit for residential energy efficient property with respect to natural gas heat pumps; to the Committee on Ways and Means.

By Mrs. MCMORRIS RODGERS (for herself, Mr. REICHERT, Mr. SMITH of Washington, Mr. LARSEN of Washington, and Mr. HASTINGS of Washington):

H. Con. Res. 285. Concurrent resolution recognizing the important role that fathers play in the lives of their children and families and supporting the goals and ideals of designating 2010 as the Year of the Father; to the Committee on Education and Labor.

By Mr. BACA:

H. Res. 1430. A resolution honoring and saluting golf legend Juan Antonio ''Chi Chi'' Rodriguez for his commitment to Latino youth programs of the Congressional Hispanic Caucus Institute; to the Committee on Education and Labor.

By Mr. FILNER (for himself, Ms. JACKSON LEE of Texas, and Mr. ROHRABACHER):

H. Res. 1431. A resolution calling for an end to the violence, unlawful arrests, torture, and ill treatment perpetrated against Iranian citizens, as well as the unconditional release of all political prisoners in Iran; to the Committee on Foreign Affairs.

By Mr. HEINRICH:

H. Res. 1432. A resolution honoring the State of New Mexico on the passage of the Hispanic Education Act; to the Committee on Education and Labor.

By Mr. JONES (for himself, Ms. MARKEY of Colorado, Mr. WHITFIELD, and Mr. LOEBSACK):

H. Res. 1433. A resolution expressing support for designation of September 2010 as Blood Cancer Awareness Month; to the Committee on Energy and Commerce.

By Mr. GARY G. MILLER of California (for himself, Mr. CHILDERS, Mr. BACA, Mr. CASTLE, Mr. HINOJOSA, Mr. DAVIS of Kentucky, Mr. CALVERT, and Mr. GERLACH):

H. Res. 1434. A resolution recognizing National Homeownership Month and the importance of homeownership in the United States; to the Committee on Financial Services.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

304. The SPEAKER presented a memorial of the House of Representatives of the State of Florida, relative to House Memorial 227 urging the Congress to preserve the authority of the Governor to retain command and control of the Florida National Guard; to the Committee on Armed Services.

305. Also, a memorial of the Senate of the State of Florida, relative to Senate Memorial 944 requesting that the United States Congress direct that one of the retiring space shuttle orbiters be preserved and placed on permanent display at the Kennedy Space Center; to the Committee on Science and Technology.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 179: Mr. GARAMENDI.
H.R. 197: Mr. CRITZ.
H.R. 213: Mr. HELLER.
H.R. 275: Mr. TERRY.
H.R. 442: Mr. PERRIELLO and Mr. CRITZ.
H.R. 510: Mr. POMEROY.
H.R. 564: Mr. POLIS.
H.R. 615: Mr. SIRES.
H.R. 758: Mr. KUCINICH.
H.R. 775: Mr. ROGERS of Michigan.
H.R. 816: Mr. CRITZ.
H.R. 881: Mr. MCCLINTOCK and Mr. SCHOCK.
H.R. 930: Mrs. BONO MACK.
H.R. 1034: Mr. SABLAN.
H.R. 1036: Ms. RICHARDSON.
H.R. 1132: Mr. CRITZ.
H.R. 1205: Mrs. DAVIS of California and Mr. NYE.
H.R. 1255: Mr. CALVERT and Mr. WESTMORELAND.
H.R. 1351: Mr. ROGERS of Kentucky, Mr. GARAMENDI, Mr. TERRY, and Mr. STARK.
H.R. 1587: Mr. CRITZ.
H.R. 1621: Mr. CALVERT.
H.R. 1625: Ms. ESHOO and Mr. MORAN of Virginia.
H.R. 1751: Mr. PIERLUISI.
H.R. 1829: Mrs. DAHLKEMPER.
H.R. 2057: Mr. STARK.
H.R. 2103: Mr. PERRIELLO.
H.R. 2105: Mr. RUPPERSBERGER.
H.R. 2106: Mr. RUPPERSBERGER.
H.R. 2176: Ms. RICHARDSON and Mr. COHEN.
H.R. 2275: Mr. ROTHMAN of New Jersey, Mr. MAFFEI, and Mr. BOUCHER.
H.R. 2287: Mr. UPTON.
H.R. 2296: Mr. DREIER and Mr. CRITZ.
H.R. 2298: Mr. HIGGINS.
H.R. 2328: Mr. BLUMENAUER.
H.R. 2363: Mr. GRAYSON.
H.R. 2425: Mr. MCCOTTER, Ms. SCHAKOWSKY, and Mr. GORDON of Tennessee.
H.R. 2443: Mr. SCHOCK.
H.R. 2492: Mr. HARE.
H.R. 2534: Ms. HERSETH SANDLIN.
H.R. 2575: Mr. COHEN.
H.R. 2625: Mr. HINCHEY.
H.R. 2782: Mr. DUNCAN.
H.R. 2906: Mr. BOREN.
H.R. 2979: Mr. KUCINICH and Mr. GRIJALVA.
H.R. 3100: Ms. DEGETTE.
H.R. 3116: Mr. SCHAUER.
H.R. 3151: Mr. TERRY and Mr. SMITH of Washington.
H.R. 3286: Mr. ARCURI.
H.R. 3301: Mr. OWENS, Mr. DONNELLY of Indiana, Mr. GRAVES, Mr. MARSHALL, and Ms. HERSETH SANDLIN.
H.R. 3355: Mr. TIM MURPHY of Pennsylvania and Mr. PRICE of North Carolina.
H.R. 3359: Mr. MOORE of Kansas, Mr. GONZALEZ, Mr. LUJÁN, Mr. CUELLAR, Mr. WAXMAN, Ms. DEGETTE, Mr. KIND, Mr. AL GREEN of Texas, Mr. NADLER of New York, Mr. CAPUANO, Mrs. CAPPS, Mr. TOWNS, Mr. ANDREWS, Mr. STARK, Mr. VAN HOLLEN, Ms. KOSMAS, Ms. KAPTUR, Mr. ROTHMAN of New Jersey, Mr. KANJORSKI, Mr. BRADY of Pennsylvania, Mr. WEINER, Mr. HASTINGS of Florida, Ms. CORRINE BROWN of Florida, Mr. OBERSTAR, Ms. WATSON, Mr. JACKSON of Illinois, Mr. CARSON of Indiana, Mr. KENNEDY, Mr. GRAYSON, Mr. CUMMINGS, Mr. TONKO, Mr. SALAZAR, Mr. CARDOZA, Mr. SABLAN, and Mr. ORTIZ.
H.R. 3408: Mr. OBERSTAR and Mr. BOCCIERI.
H.R. 3457: Mr. ORTIZ.
H.R. 3668: Mr. GRAYSON, Ms. CHU, Mr. SHERMAN, Mr. YARMUTH, Mr. PUTNAM, Mr. CARNEY, Mr. BUTTERFIELD, Ms. SPEIER, and Mr. CHAFFETZ.
H.R. 3716: Mr. BOUCHER and Mr. GENE GREEN of Texas.
H.R. 3724: Mr. CARTER.
H.R. 3790: Mr. BERRY.
H.R. 3989: Mr. PRICE of North Carolina.
H.R. 3995: Mr. LIPINSKI and Mr. PATRICK J. MURPHY of Pennsylvania.
H.R. 4099: Mr. POLIS.
H.R. 4128: Mr. WU and Ms. HIRONO.
H.R. 4195: Mr. MCNERNEY, Ms. RICHARDSON, and Mrs. MALONEY.
H.R. 4278: Mr. LUETKEMEYER.
H.R. 4302: Mr. ORTIZ.
H.R. 4329: Mr. CONNOLLY of Virginia.
H.R. 4343: Mr. PIERLUISI.
H.R. 4399: Mr. POLIS.
H.R. 4402: Mr. PIERLUISI.
H.R. 4555: Mr. COURTNEY and Mr. MURPHY of Connecticut.
H.R. 4568: Mr. TEAGUE.
H.R. 4594: Mr. BRALEY of Iowa, Mr. ACKERMAN, Mr. RAHALL, Mr. WAXMAN, and Mr. JOHNSON of Georgia.
H.R. 4682: Ms. LEE of California.
H.R. 4684: Mr. LUETKEMEYER, Mr. BLUNT, Ms. JENKINS, Mr. LEVIN, Mr. MCINTYRE, Mr. SHIMKUS, Mr. SMITH of Washington, and Mr. GALLEGLY.
H.R. 4709: Mr. COHEN.
H.R. 4751: Mr. RAHALL.
H.R. 4771: Mr. PAYNE, Mr. RANGEL, and Ms. HIRONO.
H.R. 4772: Mr. RYAN of Ohio.
H.R. 4785: Mr. DAVIS of Illinois, Mr. HASTINGS of Florida, and Mr. MCINTYRE.
H.R. 4787: Mr. COLE and Mr. BLUMENAUER.
H.R. 4788: Mrs. NAPOLITANO and Mr. FOSTER.
H.R. 4796: Mr. COHEN.
H.R. 4879: Mr. COHEN, Ms. MATSUI, Mr. GEORGE MILLER of California, Mr. FATTAH, and Ms. HARMAN.
H.R. 4886: Mr. WALZ.
H.R. 4914: Mr. THOMPSON of California and Mr. SABLAN.
H.R. 4925: Ms. RICHARDSON and Mr. STARK.
H.R. 4926: Ms. CORRINE BROWN of Florida, Ms. ROS-LEHTINEN, Ms. CASTOR of Florida, Ms. RICHARDSON, Mr. BISHOP of Georgia, and Mr. MURPHY of Connecticut.
H.R. 4937: Mr. WU.
H.R. 4958: Ms. CHU.
H.R. 4959: Mr. PRICE of North Carolina and Mr. SMITH of Washington.
H.R. 4971: Mr. BLUMENAUER, Mr. CONYERS, Ms. WATERS, Ms. SLAUGHTER, Mr. CLYBURN, Mr. CAO, Mr. MCDERMOTT, Mr. BUTTERFIELD, Ms. JACKSON LEE of Texas, Ms. RICHARDSON, Mr. LEWIS of Georgia, and Mr. SCOTT of Virginia.
H.R. 4993: Ms. MOORE of Wisconsin.
H.R. 4995: Mr. MCCAUL.
H.R. 5012: Mr. COHEN.
H.R. 5034: Mr. BOYD and Mr. KLEIN of Florida.
H.R. 5066: Mr. BROUN of Georgia.
H.R. 5078: Mr. PETERS.
H.R. 5081: Mr. MEEK of Florida.
H.R. 5111: Mr. BROUN of Georgia, Mr. TIM MURPHY of Pennsylvania, Mr. POSEY, and Mr. SKELTON.
H.R. 5117: Mr. HONDA, Mr. ROTHMAN of New Jersey, Mr. LEWIS of Georgia, Mr. WU, Ms. CLARKE, and Mr. NADLER of New York.
H.R. 5126: Mr. BROUN of Georgia.
H.R. 5141: Mr. LATOURETTE and Mrs. CAPITO.
H.R. 5142: Mr. YARMUTH.
H.R. 5143: Mrs. CHRISTENSEN.
H.R. 5156: Mr. POLIS.
H.R. 5157: Mr. DAVIS of Tennessee.
H.R. 5159: Ms. WOOLSEY.
H.R. 5177: Mr. BURGESS.
H.R. 5191: Mr. HONDA.
H.R. 5192: Mr. COFFMAN of Colorado.
H.R. 5214: Mr. PERLMUTTER, Mr. POLIS, and Mr. COURTNEY.
H.R. 5258: Mr. MAFFEI.
H.R. 5289: Mr. ELLISON, Ms. NORTON, Ms. ZOE LOFGREN of California, and Mr. POLIS.
H.R. 5313: Ms. GINNY BROWN-WAITE of Florida.
H.R. 5324: Mr. BERMAN and Mr. ELLISON.
H.R. 5355: Mr. HINCHEY and Mr. CARNAHAN.
H.R. 5358: Mr. HOLT.
H.R. 5400: Mr. NYE.
H.R. 5409: Mr. KISSELL.
H.R. 5412: Ms. GINNY BROWN-WAITE of Florida.
H.R. 5425: Mr. LAMBORN, Mrs. MCMORRIS RODGERS, and Mr. KINGSTON.
H.R. 5426: Mr. SKELTON.
H.R. 5430: Mr. GRIJALVA.
H.R. 5431: Mr. KIND.
H.R. 5434: Mr. HALL of New York.
H.R. 5449: Ms. SCHAKOWSKY.
H.R. 5457: Mr. TOWNS and Mr. SPACE.
H.R. 5481: Ms. WOOLSEY, Ms. DELAURO, Mr. LANGEVIN, and Mr. INSLEE.
H.R. 5487: Ms. MCCOLLUM and Ms. RICHARDSON.
H. Con. Res. 40: Mr. CRITZ.
H. Con. Res. 200: Mr. ROSKAM.
H. Con. Res. 259: Mr. ACKERMAN.
H. Con. Res. 266: Mr. SIMPSON and Ms. SPEIER.
H. Con. Res. 281: Mr. GINGREY of Georgia, Mr. BROWN of South Carolina, Mr. BRADY of Texas, and Mr. MARCHANT.
H. Con. Res. 283: Mr. OWENS.
H. Res. 173: Mrs. DAHLKEMPER, Mr. CRITZ, Mr. LIPINSKI, and Mr. MITCHELL.
H. Res. 363: Mr. PAYNE.
H. Res. 536: Mr. ISRAEL.
H. Res. 546: Mr. HASTINGS of Florida and Mr. COOPER.
H. Res. 633: Mr. RUSH and Ms. RICHARDSON.
H. Res. 771: Mr. ROGERS of Alabama, Mr. CALVERT, Mr. RUSH, Mr. PLATTS, Mr. BARTLETT, Mr. AKIN, Ms. SCHWARTZ, Ms. BALDWIN, and Ms. TITUS.
H. Res. 953: Ms. SCHAKOWSKY, Ms. BALDWIN, Mr. INGLIS, Mr. CAO, Mr. PITTS, Mr. ELLISON, and Mr. SHULER.
H. Res. 1035: Mr. TIERNEY.
H. Res. 1207: Mr. SABLAN, Mr. ORTIZ, Mr. BOSWELL, and Mr. BISHOP of Georgia.
H. Res. 1217: Mr. CARNEY.

H. Res. 1241: Mr. LEE of New York.
H. Res. 1302: Mr. SPACE.
H. Res. 1309: Mr. YOUNG of Florida.
H. Res. 1359: Mr. PETERS, Mr. HONDA, Mr. GRAYSON, Mr. ROTHMAN of New Jersey, Mr. POLIS, Mr. HOLT, Ms. SCHAKOWSKY, Ms. KILROY, Ms. HARMAN, Mr. MORAN of Virginia, Mr. INGLIS, and Mr. CONNOLLY of Virginia.
H. Res. 1374: Mr. SCHOCK.
H. Res. 1375: Ms. RICHARDSON, Ms. SUTTON, Mr. STARK, and Mr. GRIJALVA.
H. Res. 1379: Mr. POMEROY and Mr. DANIEL E. LUNGREN of California.
H. Res. 1390: Mr. MORAN of Virginia and Mr. STARK.
H. Res. 1393: Mr. KENNEDY and Mr. MCNERNEY.
H. Res. 1394: Mr. GALLEGLY and Mrs. MILLER of Michigan.
H. Res. 1398: Mr. STARK.
H. Res. 1401: Mr. TEAGUE and Ms. PINGREE of Maine.
H. Res. 1402: Mr. OBERSTAR, Mr. HARE, and Mr. LEE of New York.
H. Res. 1406: Mr. BROUN of Georgia and Mr. CHAFFETZ.
H. Res. 1407: Mr. LANCE, Mr. GERLACH, Mr. WAMP, Mrs. MYRICK, Ms. GINNY BROWN-WAITE of Florida, Mr. DENT, Mr. SHIMKUS, and Mr. CASTLE.
H. Res. 1414: Mr. GUTIERREZ.
H. Res. 1428: Ms. DELAURO.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

141. The SPEAKER presented a petition of City of Miami Beach, Florida, relative to Resolution No. 2010-27379 urging the President and the Congress of the United States to Adopt the Military Readiness Enhancement Act of 2009 (H.R. 1283); to the Committee on Armed Services.

142. Also, a petition of City and County of Honolulu, Hawaii, relative to Resolution 10-56, CD1 urging the United States Congress to support a final version of the Native Hawaiian Government Reorganization Act; to the Committee on Natural Resources.

143. Also, a petition of American Bar Association, Illinois, relative to Resolution 102E urging federal, state, territorial, and local governments to expand as appropriate in light of security and safety concerns, initiatives that facilitate contact and communication between parents in correctional custody and their children; jointly to the Committees on the Judiciary, Education and Labor, and Ways and Means.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156 WASHINGTON, THURSDAY, JUNE 10, 2010 *No. 87*

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Rev. Dr. Joseph Castleberry, president of Northwest University, in Kirkland, WA.

The guest Chaplain offered the following prayer:

Let us pray.

''Our Father who art in heaven, hallowed be Thy Name. Thy Kingdom come, Thy will be done, on Earth as it is in heaven.'' As our founding mothers and fathers prayed before us, we ask again that You would make America a shining city on a hill. Make our land a beacon to all the world of the sacred values Your Kingly rule has taught us. Turn our hearts anew toward You, and let righteousness exalt our Nation. Pour out Your Spirit upon us, and hasten the day when peace will reign in the Kingdom.

Protect our military personnel around the world with Your strong hand and heal those who are wounded. Bless their families with the soothing touch of Your presence.

Bless these Senators and their staffs today with love and friendship, health and strength, wisdom and prudence, holiness and hope. Let them feel Your presence in the godly work of justice with which we have charged them. Let the cherished ideals of our Nation rule their deliberations this day and always.

We pray these things in the Name of the King of Kings and Lord of Lords. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 10, 2010.

To the Senate:

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

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

ORDER OF PROCEDURE

Mr. REID. Madam President, I ask unanimous consent that the Senator from Washington, Mrs. MURRAY, be recognized for whatever time she may take. Following that, I will announce the schedule for today and give an opening statement. We will see if at that time Senator MCCONNELL will be here to give a statement.

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

The Senator from Washington.

THE GUEST CHAPLAIN

Mrs. MURRAY. Madam President, I am delighted to be here today to welcome our guest Chaplain, Dr. Joseph Castleberry, to the Senate. Dr. Castleberry is president of Northwest University in Kirkland, a town not far from where I grew up in Bothell, WA.

Northwest is a Christian university comprised of six schools and colleges, including arts and sciences, business education, nursing, social and behavioral sciences, and ministry. The university offers about 50 undergraduate programs, eight master's degree programs, and a doctor of psychology program.

The school prides itself on its three core values of spiritual vitality, academic excellence, and empowered engagement.

Dr. Castleberry is an ordained minister in the Assemblies of God, the university's sponsoring denomination. His distinguished career has focused on both faith and education. He earned a bachelor of arts degree from Evangel University in 1983, a master of divinity degree from Princeton Theological Seminary in 1988, and a doctor of education degree in international educational development from Teachers College, Columbia University, in 1999.

In addition to that impressive background, Dr. Castleberry has a wide array of experience as a missionary, educator, and pastor. For over two decades, in fact, he served communities throughout Central and South America where he was involved in education, church planning, and community development.

Dr. Castleberry is the founder of the Freedom Valley Project. It is a community development ministry among African-American people of Ecuador's Chota Valley region. He is active in a number of academic and cultural programs devoted to furthering interreligious understanding and dialog.

Dr. Castleberry and his wife Kathleen have three daughters—Jessica, Jodie, and Sophie. I was also very amazed to learn that he speaks a remarkable 10 languages.

Printed on recycled paper.

I am very pleased Dr. Castleberry could join us in the Senate today. I thank him for his service to the students and faculty at Northwest University, as well as his dedication to helping communities around the world.

I also thank Senate Chaplain Dr. Black for inviting Dr. Castleberry to deliver the opening prayer for the Senate this morning.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

SCHEDULE

Mr. REID. Madam President, today at a quarter to 10, the Republican leader or his designee will make a motion to proceed to S.J. Res. 26, which is a joint resolution of disapproval of a rule submitted by EPA relating to the endangerment findings and the cause or contributing findings for greenhouse gases. There will be up to 6 hours of debate equally divided between Senators MURKOWSKI and BOXER or their designees, with the controlled time alternating in 30-minute blocks, with Senator MURKOWSKI controlling the first 30 minutes. If all time is used, the vote on the motion to proceed will occur at 3:45 p.m. If the motion to proceed is agreed to, there will be an additional 1 hour of debate on the joint resolution prior to a vote on passage of the joint resolution.

As I indicated yesterday, there will be no rollcall votes tomorrow or Monday, June 14.

EPA RULE

Mr. REID. Madam President, the Murkowski resolution, which we will take up soon, will increase pollution, increase our dependence on foreign oil, and stall our efforts to create jobs and, in so doing, stall our efforts to move to a clean energy economy.

This resolution does nothing to create jobs in Nevada or anyplace else in our country. It does create jobs in places from where we are importing oil—the Middle East, Venezuela, places such as that—but not in our country.

In fact, this resolution will damage the certainty and clarity that businesses want to invest in innovative and job-creating technologies that reduce pollution. This includes clean renewable power using the Sun, the wind, and geothermal energy.

This resolution is not going to help bring us closer to providing more incentives for the production or use of clean-burning natural gas. This resolution is not going to help provide funding for Nevadans or Alaskans or any other State to cope with and adapt to a changing and increasingly unfriendly climate.

Forcing this vote seems to be a largely partisan political ploy designed to divide Democrats and Republicans and to pander to the dirty, just-say-no crowd. They want business as usual with no limits on their ability to pollute.

The White House has made it clear that the Murkowski resolution would be vetoed if it passes. We all know, in fact, if it does pass and a veto is made, that it would be sustained.

We also know that this resolution is a great big gift to big oil, at least 455 million more barrels of oil would be used, making at least $50 billion extra for the oil companies, and billions more if this resolution were to become law. And most of that oil will come from overseas. We know that.

Is this the kind of business as usual the American people want? Of course not. No, the public wants companies to give them choices of cars, products, and fuels that are less polluting, affordable, and made in America, not from the Persian Gulf, China, or other places.

This resolution is very much a choice about the future of our country. Do we want to return to the days when big oil and their friends, with OPEC's help, decided America's economic destiny or are we going to work together to solve the incredibly difficult problems posed by the way we produce and use energy? Are we going to work together to reduce pollution?

I am convinced that we can pass strong, bipartisan legislation to create jobs, protect the environment, and make a safer and more secure future. But that would require the help of everyone in the Senate to be involved in a constructive engagement, and only a few have stepped forward. I hope that changes soon.

Will the Chair announce the business before the Senate?

RESERVATION OF LEADER TIME

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

RECOGNITION OF THE MINORITY LEADER

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

RESOLUTION OF OPPOSITION

Mr. MCCONNELL. Madam President, later today, the Senate will vote on an issue of vital importance to every American family and business, and that is whether the Environmental Protection Agency should be allowed to impose a backdoor national energy tax on the American people.

This vote is needed because of the administration's insistence on advancing its goals by any means possible, in this case by going around the legislative branch and imposing this massive, job-killing tax on Americans through an unaccountable Federal agency.

Ironically, just last year, President Obama and EPA Administrator Lisa Jackson took the position that on an issue of this magnitude, which touches every corner of our economy, Congress, not the EPA, should determine how to reduce greenhouse gas emissions. But now that it is clear Congress will not pass this new national energy tax this year, the administration has shifted course and is now trying to get done through the backdoor what they have not been able to get through the front door.

Like the cap-and-trade legislation they would replace, these EPA regulations would raise the price of everything from electricity to gasoline to fertilizer to food on our supermarket shelves. That is why groups representing farmers, builders, manufacturers, small business owners, and the U.S. Chamber of Commerce are so strongly opposed to these EPA regulations and so supportive of the Murkowski resolution to stop them.

These groups know these backdoor moves by EPA will deal a devastating blow to an economy already in rough shape. And so does the President. He said himself that his plan would cause electricity prices for consumers to ''necessarily skyrocket.'' The President himself said this plan would cause prices for consumers to ''necessarily skyrocket.''

At a time of nearly 10-percent unemployment, these new regulations would kill U.S. jobs. According to one estimate, the House cap-and-trade bill would kill more than 2 million U.S. jobs and put American businesses at a disadvantage to their competitors overseas.

Closer to home, these regulations would be especially devastating for States such as Kentucky and other Midwestern coal States. EPA regulations resulting in dramatic energy price increases would jeopardize the livelihoods of the 17,000 miners in our State and an additional 51,000 jobs that depend on coal production and the low cost of electricity that Kentuckians enjoy. That is why in the last few days alone, my office has received more than 1,000 letters, e-mails, and phone calls from Kentuckians opposed to this effort from EPA.

A lot of Kentuckians work hard to ensure that our State has the lowest industrial electricity rate in the Nation, and that is something we are proud of at home.

This bill would lead to a dramatic increase in these electricity rates, punishing businesses both large and small.

But the job losses would not stop there. As I indicated, this backdoor energy tax would be felt on farms as well, where increased energy and fertilizer prices would drive up costs for farmers and livestock producers who do not have the ability to pass on these increases. This would be an especially painful blow to them, and that is why the Farm Bureau and many other farm groups oppose what the EPA is trying to do.

There are many different views in this body on how to reduce greenhouse gas emissions. Some favor the Kerry-

Lieberman cap-and-trade bill, a significant portion of which, by the way, has been pushed by the oil company BP. Many Members on this side of the aisle have proposals they support as well.

One thing we should be able to agree on is that the worst possible outcome is for the unelected bureaucrats at the EPA to unilaterally impose these job-killing regulations. That is why it is my hope that later this afternoon we will vote to stop this blatant power grab by the administration and EPA and pass Senator MURKOWSKI's legislation to stop this backdoor national energy tax dead in its tracks.

This effort by the EPA would be devastating for jobs and an economy that needs them desperately. It is bad for the economy and bad for representative democracy. It should be stopped.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

RESOLUTION OF DISAPPROVAL OF EPA RULE—MOTION TO PROCEED

Ms. MURKOWSKI. Madam President, during the Memorial Day recess, we received two pieces of alarming news that should inform the work of every Member in this Chamber. First, we learned the national debt has surpassed $13 trillion in total, and then shortly after that, we learned that nearly all the jobs that were added in May came from temporary census positions. The private sector created just 41,000 jobs last month—many fewer than expected and certainly a far cry from the pace that will allow us to dig out from under this economic recession.

I think we all recognize there is no question that our recovery is still fragile—very much in doubt. It is also quite clear it will take some time for millions of unemployed Americans to find their jobs and get back on their feet again. These tough facts should encourage us to focus on these policies that create jobs, that reduce our debt, and at the same time should encourage us to guard against policies that fail in either or both of those areas.

Madam President, we are here today to debate a policy that works against both of those goals—the Environmental Protection Agency's effort to impose economy-wide climate regulations under the Clean Air Act. The sweeping powers being pursued by the EPA are the worst possible option for reducing greenhouse gas emissions, and there is broad bipartisan agreement that this approach would forgo all of the benefits, all of the protections that are possible through legislation. It would reduce emissions at an unreasonably high cost and through an unnecessarily bureaucratic process. It would amount to an unprecedented power grab, ceding Congress's responsibilities to unelected bureaucrats, and move a very important debate, a critical debate, from our open halls to behind an agency's closed doors.

This approach should have been, could have been taken off the table long ago. Yet because the EPA is determined to move forward aggressively and because neither Congress nor the administration has acted to stop them, it is now in the process of becoming our Nation's de facto energy and climate policy.

Because this is our worst option to reduce emissions and Congress needs time to develop a more appropriate solution, I have introduced a resolution of disapproval—I introduced this back in January—to halt the EPA's regulations. My resolution does not affect the science behind the endangerment finding, but it will prevent the finding from being enforced through economy-wide regulations.

Forty other Senators here in this body have joined me and are cosponsors of this effort. Our resolution has garnered significant support among the American people, and from the day it was introduced, we have had individuals and we have had groups and organizations from all across the country that have expressed their support and their appreciation. It really is a tremendous coalition, a significant coalition from farmers and manufacturers, to small business owners, to fish processors. There are more than 530 stakeholder groups that have endorsed our resolution's passage, and I will tell you, when you look at some of those groups, you would not put them in a category where you would say: Well, this is an entity that is standing up to fight, to push back against the EPA. But I will suggest to you that the broad range of stakeholders is really quite impressive.

Despite that support, I will still be the first to admit that we face an uphill battle. We oppose the EPA's regulations because of their costs, most definitely. But, unfortunately, that seems to be precisely why some Senators have gone out front to support them, hoping these economic costs will be so onerous that it will force us here in the Congress, here in the Senate, to adopt legislation we otherwise wouldn't move to do.

This has been an interesting, sometimes difficult and contentious several months as we have moved forward with this resolution of disapproval. Personal attacks have been directed at supporters of this resolution in an effort, I think, to intimidate others from adding their names.

The EPA Administrator has, somewhat incredibly, suggested our resolution was somehow related to the oil-spill that is ongoing in the gulf. Some have even claimed the resolution is a bailout for the oil companies and are trying to make sure we don't let another crisis go to waste—in other individuals' terms—in their efforts to pass sweeping cap-and-trade measures. I would suggest that the only similarity I see between the spill in the Gulf of Mexico and the EPA's regulations is that both of these are unmitigated disasters. One is happening now; the other one is waiting in the wings if Congress fails to adopt this resolution.

This decision—where we are today here in the Senate debating this resolution of disapproval—ultimately boils down to four substantive factors. The first one is the inappropriateness of the Clean Air Act for reducing greenhouse gas emissions. The second is the likelihood that the courts will strike down the tailoring rule. Then we also have the lack of economic analysis from the EPA, which is stunning—that we do not have a better sense in terms of what the economic impact of these regulations will be. Then finally and certainly above all else is the undisputed fact that climate policy should be written here in Congress. It is not just LISA MURKOWSKI who says that, and it is not just the other 40 Senators who have signed on as cosponsors to this resolution of disapproval; it is everyone from the President, to the Administrator of the EPA, to colleagues on the House side who have said time and time again that it should be the Congress, it should be those of us who are elected Members of this body who set the policy of this country and not the unelected bureaucrats within an agency.

I would like to speak to each of these four factors in a little greater detail, so I will start by examining why the Clean Air Act is such an awful choice for reducing these emissions. I have explained this many times before, so I will reiterate two main points here—first is the way these regulations are carried out.

You have command-and-control directives that are issued by the government that affect every aspect of our lives, rather than market-based decisions made by consumers and businesses. I wish to reinforce that, the fact that these are directives that will impact every aspect of our lives.

When we were debating health care reform here on this floor not too many months ago, it was repeated time and time again that it was so important we get this right because health care reform will impact one-sixth of our economy. Well, I would suggest to you that when we are talking about climate policy, that is something which is going to impact every aspect—100 percent—of our economy.

The system imposed by the EPA will entail millions of permit decisions—millions of permit decisions—by mid-level EPA employees, without effective recourse, and it will leave regulated entities with very little flexibility to comply.

Another reason the Clean Air Act is extremely complicated for reducing greenhouse gas emissions: the Clean Air Act's explicit regulatory thresholds. They absolutely put an exclamation mark on why this law is such a poor choice for addressing climate change.

Under the Clean Air Act, if you emit more than 100 or 250 tons of a pollutant each year, you must acquire a Federal air permit. These relatively low limits

make sense for conventional air pollutants that are emitted in small quantities, but they become wildly problematic when dealing with a substance emitted in huge volumes through nearly every form of commerce, such as carbon dioxide is.

So the question needs to be asked, then, how big is this new regulatory act we are talking about? The EPA recently projected that some 6.1 million sources could be required to obtain new title V operating permits. Under the current regulations, the EPA is dealing with about 15,000. So the EPA would now be charged with moving up dramatically from regulating and issuing about 15,000 title V operating permits to some 6.1 million permits. Whom does this include? It would include millions of residential buildings, small businesses, schools, hospitals, and restaurants found in every town in America.

Over time, the EPA's approach would increase their regulation by an order of magnitude, and the consequences would be just as enormous. And no one is more aware of this very uncomfortable fact than the EPA itself. They know they can't go from the 15,000 permits they currently deal with on an annual basis up to 6.1 million permits. That is why the Agency has attempted to very dramatically increase the threshold for greenhouse gases in its tailoring rule. They are unhappy with the plain language, the very direct language of the Clean Air Act. The Agency plans to lift its limits up to 1,000 times higher than Congress has directed.

So what you have is a situation where the EPA has simply not accepted that the Clean Air Act is not structured for this task, and instead they have attempted to make it so by ignoring the plain language—the plain language that says you have to regulate at 100 or 250 tons per year. They are effectively unilaterally amending the Clean Air Act.

Equally astounding is that by temporarily relieving part of a permitting burden, the EPA is claiming that consumers and businesses—the people who purchase and the people who use the energy—will face no economic impact, which is incredible to believe.

I ask my colleagues to think about the logic behind the tailoring rule. The EPA is asking us to accept that while greenhouse gases are not in the Clean Air Act, the Congress clearly intended them to be regulated under it. At the same time, we are expected to believe that while explicit regulatory thresholds are in the act, Congress meant for the EPA to ignore them. Well, Madam President, I would suggest to you that is a pretty thin read, and it becomes even thinner when you consider the changes that are made between the tailoring rule that was proposed just last year and then the final rulemaking that was issued just last month.

In last year's draft, what you saw was the EPA planning to ratchet down to the Clean Air Act's actual threshold levels—to get down to the 250 tons per year—and to put that into effect over the course of the next 5 years. Now the EPA is suggesting that it may exempt entire sectors and never even reach the statutory limits. Think about it. What happens then? That is when the lawsuits pop up. This is not going to provide the level of certainty I think those in business are seeking. What you will see is lawsuits as some sectors and some sources are regulated while others are not. And I would suggest that difference between the tailoring proposal from last year and where we are now is driven not by the law but by fear of the political backlash out there—the outrage from people all over the country in terms of the negative economic impact to them and their families and their communities.

That is why it is tough to find an impartial legal expert who believes this tailoring rule will actually hold up in court. Consider a speech given last year by Judge David Tatel of the DC Circuit Court of Appeals. This was a speech on how the EPA can avoid being sued over its rulemakings. Judge Tatel said:

> . . . whether or not agencies value neutral principles of administrative law, courts do, and they will strike down agency action that violates those principles—whatever the President's party, however popular the administration, and no matter how advisable the initiative.

Those were the comments from a DC Circuit judge specifically on this issue as to how the EPA avoids lawsuits.

Let me move to the third area of concern I have with EPA moving to regulate in the area of greenhouse gas emissions—the economic consequences of EPA regulation. We have to ask the question: What exactly are those consequences? Believe it or not, at this point in time we still do not know because the EPA has refused to provide projections of the economic impacts. In the various rulemakings out there, the Agency has engaged in something of a shell game. They are either hiding or they are simply not considering the economic cost.

The EPA has also ignored requests from Members of Congress. I have asked them, and other Members of Congress have asked, to conduct this very important analysis, but to this day the Agency still has not provided anything close to a full projection of the economic impact its economy-wide climate regulations will have.

I guess there were a couple of reasons. The EPA either has no cost estimates or they know they are too astronomical to calculate, and they do not want them released. My staff has had numerous briefings with EPA officials, and they have been told essentially that we will not know how much these regulations cost until the best available control technologies are imposed on the regulated entities; that is, until the EPA figures out how to deal with what it signed itself up for.

The problem is, the best available control technologies remain completely undefined at this point. It could mean efficiency improvements, expensive add-on technologies, or even fuel-switching requirements. Over time, the EPA would have very little choice but to impose all of those requirements and more, regardless of the consequences.

Again, it is not hard to find this quite amazing and alarming. We need to be growing our economy not paralyzing it. Everything we do right now within this body should be focused on how we grow our economy, how we grow the jobs from Maine to Alaska and points in between. We know the national unemployment rate remains at almost 10 percent. Private sector job growth is anemic. Yet as millions of Americans are doing everything they can just to find work, bureaucrats in Washington, DC, are contemplating regulations that would destroy these opportunities.

Worse still, the people of our States have no voice in this bureaucratic process. They are on the verge of being subjected to rules, subjected to regulations that will directly impact their lives, their livelihoods, their economic opportunities, without ever having an opportunity to express their concerns through their Representatives in Congress.

That brings me to my final point. Politically accountable Members of the House and the Senate, not unelected bureaucrats, must develop our Nation's energy and climate policies. It is as direct as that. Those policies must be able to pass on their own merits instead of serving as a defense against ill-considered regulations.

I have said this before, but it bears repeating: Congress will not pass—should not pass—bad legislation in order to stave off bad regulations. We are neither incapable nor unwilling to legislate on energy and environmental policy. We have demonstrated this in the past. We did this with landmark environmental legislation such as the Clean Air Act, the Clean Water Act, and the Safe Drinking Water Act. We can, we should, and we will deal with these environmental challenges that face us. But forgoing legislation in favor of regulation would sacrifice the priorities and protections that are sought by just about every Member of the Senate.

The things that are being considered when we talk about climate legislation are worker training, funding for clean technologies, energy security enhancements, border adjustments, manufacturing concessions—these would all go by the wayside if climate policy is directed through regulation as opposed to legislation. There will be no agricultural offsets, no free allowances, no banking, and no borrowing under the Clean Air Act. There will be no funding for climate research or adaptation, no protection for consumers, and no assistance for businesses or workers.

I do understand some Members say they will only support climate legislation that puts a price on emissions.

They are frustrated that we in the Senate have not done that—have not agreed to do that yet. But I do not believe that mandating higher energy costs and imposing regulations on consumers and businesses is the only way to solve this challenge.

Some have likened the EPA regulation as the gun to the head of Congress that will force us somehow to act more quickly on climate legislation than we otherwise would. I think, sadly, a few Members of the Senate have actually bought into this coercive strategy. Throughout the yearlong debate on this issue—and it has been just about a year. It was last September that I attempted to introduce legislation that would put the EPA in a 1-year timeout. I was not allowed to bring that measure to the Senate floor. But throughout this yearlong debate on the issue, opponents have refused to discuss the actual impacts of EPA regulation. So I want my colleagues to listen today, listen to the debate. See if any opponents actually defend such regulation as being good for America.

Instead, we are going to hear red herrings about science, about fuel standards, about the oilspill. But as much as some would want it to be, this debate is not about the science of climate change. It is not a referendum on any other legislation that is pending in the Senate, nor is it about fuel efficiency. The Department of Transportation is and has been in charge for 35 years now, and we do not need another agency and another standard thrown into the mix to do the same job.

We updated our Nation's CAFE standards less than 3 years ago to at least 35 miles per gallon, and we left DOT in charge of their administration. We also outlined a very rational process for standards for medium- and heavy-duty trucks. Every target set by this administration can be met with existing authorities. As the Department of Transportation has admitted, our resolution does not directly impact their ability to regulate the efficiency and thus the greenhouse gas emissions of motor vehicles.

There is one very small potential exception and that is air-conditioning, but I have very little doubt that we would gladly provide EPA with the specific authority to regulate those systems instead of broad powers over our entire economy.

The EPA does not need to take over this process, and it should not be allowed to do so under a law that was never intended to regulate fuel economy. I understand concerns about a patchwork of standards and how difficult it would be for the industry to comply. But while we had one national standard at the start of 2009, we now have two national standards set by two Federal agencies driven by California's standards. I have a letter from the National Automobile Dealers Association dated just yesterday that spells this out quite clearly. They indicate that it in no way helps us to have, again, two national standards set by two Federal agencies. The best way to avoid a messy patchwork would be to pass our disapproval resolution, revoke California's waiver, and allow one Federal agency to set one standard that works for all 50 States.

Bringing climate science, the oilspill, and fuel economy into this debate are attempts at misdirection. They are red herrings that are intended to convince Members to oppose the resolution of disapproval. But this debate has nothing to do with those topics. It is about finding the best approach to reduce emissions and defending against policies that fail to strike an adequate balance between the environment and our economy. It is about maintaining the separation of powers between the legislative and the executive branches as our Founding Fathers intended and rejecting an unprecedented overreach by the EPA into the affairs of Congress. At its core, this is a debate about jobs, about whether we should seek conditions that will lead to their creation or enable policies that will destroy them.

This is our chance to make sure that Federal bureaucrats do not place a new burden on millions of hard-working Americans at a time that they cannot afford it and in a way they cannot reject. The time has come to take the worst option for regulating greenhouse gases off the table once and for all.

Under the procedures of the Congressional Review Act, I accordingly move to proceed to the consideration of S.J. Res. 26. I encourage Members of this Chamber to support debate on this measure and to vote in favor of both the motion to proceed and final passage.

I know under the unanimous consent agreement, this morning and throughout the day it is 30 minutes per side. I am not certain how much time I have consumed this morning, if the chair can instruct me?

The ACTING PRESIDENT pro tempore. The Senator has 2 minutes remaining

Ms. MURKOWSKI. I know Senator LINCOLN was hoping to come over this morning. What I will do at this point in time, if I may reserve those 2 minutes, seeing that Senator LINCOLN is not yet here, we can move to the Democratic side of the aisle, if Senator BOXER is ready to proceed.

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

The motion having been made, under the previous order there will now be up to 5½ hours of debate on the motion to proceed with the time divided and controlled, in alternating 30-minute blocks, by the Senator from California and Senator from Alaska.

Mrs. BOXER. Madam President, this is a very important debate. The Murkowski resolution we are considering today would overturn the endangerment finding developed by scientists and health experts in both the Bush and Obama administrations that too much carbon pollution in the air is dangerous—dangerous for our families, dangerous for our environment. Imagine, 100 Senators—not scientists, not health experts—deciding what pollutant is dangerous and what pollutant is not. Personally, I believe it is ridiculous for politicians, elected Senators, to make this scientific decision. It is not our expertise; it is not our purview.

The Murkowski resolution threatens jobs, jobs that we need, that are made in America for America.

Our hearts break every day that we look at what is happening in the Gulf. It seems to me more than ironic that Senator MURKOWSKI is advocating repealing the scientific finding that too much carbon pollution in the air is dangerous, at the same time every American sees graphic evidence on television every single day of the deadly carbon pollution in the Gulf of Mexico.

We see here in the saddest pictures what too much carbon-based pollution does in water, what it does to our shorelines, what it does to our beaches, what it does to our wetlands. I will show a couple of other photographs. They are almost too painful.

But what we do here has consequences. And for someone to come to this floor and say too much carbon is not dangerous, then I am sorry, we are going to have to look at these pictures even though we do not want to. We know the devastation this causes. Our eyes do not deceive us.

This horrific spill in the gulf has disrupted the lives of hundreds of thousands of people employed by fishing industries, tourism industries, recreation industries along the gulf coast. So, yes, this resolution, this Murkowski resolution, is about jobs.

Yesterday, Madam President, in your committee on which you serve—and I am so proud to have you as a member of the committee, the Environment and Public Works Committee—we heard from Captain Michael Frenette. He owns the Redfish Lodge in Venice, LA. He shared with us the terrible pain, both personal and economic, that the people of the gulf region are living through.

This is what he said:

> The possibility truly exists for many livelihoods to cease; livelihoods that have existed for generations and now are on the brink of financial disaster because of poor decisions by a supercorporate entity that has created the worst oilspill in history off the coast of Louisiana.

This spill is threatening the $18 billion in economic activity generated by fishing, tourism, and recreation on the gulf coast. The economic damage in the gulf could last for years to come, although we will, of course, do everything in our power to mitigate that damage.

I want to show you the pictures of the unspoiled California coastline and talk a moment about our coastal economy. Ever since I have been elected to public life—I was a county official, then a House Member, and then the

greatest privilege of all, to serve in this body—I have fought to protect our coasts. I have fought to protect our coasts because I believe they are a gift from God. I believe it is our responsibility to protect that gift and to leave that gift for future generations. I have fought to protect that coast and I have fought to protect those businesses, the businesses that depend on it.

There are so many other beautiful areas such as this along our Pacific coastline—spectacular rocky islands, sandy beaches, estuaries. We must preserve these treasures.

Now $23 billion is the economic activity that supports 388,000 jobs off the coast in California. In my home State, our 19 coastal counties account for 86 percent of the State's annual activity, for more than $1 trillion. We must move to clean energy, to protect our environment, to protect our jobs. We have to move away from the old ways.

No one can tell the American people that carbon is not a danger, because they have seen it every day of this spill. To say there is no danger, and that is what we would be saying today, is absolutely contrary to everything people are seeing every day, and do it for big oil. That is what this is about. Big oil backs the Murkowski resolution.

So whose side are we on? Are we on the side of the people? Are we on the side of clean energy jobs? Are we on the side of the lobbyists and special interests that are behind this resolution?

How does the Murkowski resolution threaten clean energy jobs? We know that to move forward with smart regulation of this pollutant, you have to have the endangerment finding. It is the predicate for moving forward. Therefore, it is the predicate for the incentives that will come for clean energy technology.

We must transition away from those old polluting sources of energy. We must look toward the future with optimism. And, again, all you have to do is look at the gulf. That is the irony of the timing of this Murkowski resolution.

I think when the timing was set, it was before the gulf spill. But the gulf spill tells us why the Murkowski resolution is so wrong. To repeal an endangerment finding, straightforward, made by health experts in the Bush administration, scientists in the Bush administration, health experts in the Obama administration, scientists in the Obama administration, for 100 elected people, with no expertise to say, we know more than the scientists in the Bush and Obama administrations, we know more than the health experts in the Bush and Obama administrations is the height of hubris. It is wrong. I know we all feel that we have powerful positions here. We have no right to do this. What is next? What are we going to do next, repeal the laws of gravity? If we start down this path, there is no end in sight. Any Senator can decide that she or he knows more than the scientists. Maybe we will say the Earth is flat and come down here and argue that one too.

Everyone knows we are not going to move away from the old energies overnight. We need to work together to make sure we do it right. But we need to move, move toward a clean energy economy, and the good jobs that come with it. This will set us back on purpose. On purpose. Because the very people who are bringing you this have not come forward with any bill to move us away from these old energies. They are stopping us from doing it. They admit it.

Let's hear what John Doerr, who is one of the leading venture capitalists in this country and in the world—he helped launch Google, he helped launch Amazon. He tells me that more private capital moves through the economy in a day than all of the governments of the world in a year. This is where we are going to get the stimulus money to grow jobs.

He told us that clean energy legislation is the spark we need to restore America's leadership. He predicted that the investments that flow into clean energy would dwarf the amount invested in high-tech and biotech combined.

Mr. Doerr said:

> Going green may be the largest economic opportunity of the 21st century. It is the mother of all markets.

We can either believe the oil lobbyists or we can believe the people on the ground who have shown that they know where the economic opportunities are. If we go this route, and we repeal this endangerment finding, you are moving away from clean energy. You are moving away from these opportunities. You are moving away from these technologies that will be made in America for America and, frankly, the technologies the whole world wants.

A recent report by the Pew Charitable Trust found that 125,000 jobs were generated during the period of 1998 to 2007 in my home State. Those jobs, those clean energy jobs, were generated 15 percent faster than the economy as a whole, and 10,000 new clean energy businesses were launched in that period. So when we look back at California, what do we see? We see the greatest area of job growth and new businesses is clean energy. What a tragedy. If we pass this today, and it were to become law—which I doubt, but it could, and that is its purpose—we would completely walk away from America's leadership in clean technology, turning our backs on the leading venture capitalists in our Nation who are telling us, do not do this.

Nationwide, Pew found that jobs in the clean energy economy grew much faster than traditional jobs. Clean energy jobs grew at a national rate of 9.1 percent, compared to 3.7 percent for traditional jobs between 1998 and 2007. So if you do not want to believe John Doerr—but I suggest you do, because he founded Amazon and Google, he funded them—let's listen to Thomas Friedman. His book is, ''Hot, Flat and Crowded.'' Here is what the central theme is:

> The ability to develop clean power and energy efficient technology is going to become the defining measure of a country's economic standing, environmental health, energy security, and national security over the next 50 years.

As I said, the EPA finding that too much carbon pollution is dangerous for our people and our environment is the key incentive to moving forward toward our clean energy economy. It is the basis upon which we move forward. It is the basis upon which we see their incentives then in place for clean energy technologies.

If this finding were eliminated under the Murkowski resolution, not only would it be, I believe, a worldwide embarrassment that the Senate is now taking to repealing health findings and scientific findings, but it would stop in its tracks the economic opportunities that come from clean energy technology.

We cannot ignore the basic finding that is made in this endangerment finding that carbon pollution in the air presents a very serious danger, threatening the health of our families, our quality of life, and our natural resources. I guess if we pass the Murkowski resolution, there would not be any danger anymore because we said so. I mean, you know, we can pass a resolution that says there should not be any more rain, and I guess then there would not be any more rain. We cannot ignore the basic scientific conclusion in that endangerment finding. If we were to do this, it would be extraordinary and unprecedented.

In 2007, the Supreme Court was clear when it ruled that carbon pollution and other greenhouse gas emissions are air pollutants, and they directed the EPA to determine whether this pollution endangers our health. So EPA, the Environmental Protection Agency—and I want to say to my colleagues, it is not the Environmental Pollution Agency. If you want to create an Environmental Pollution Agency, let's have a vote on that. It is the Environmental Protection Agency.

They are not supposed to be influenced by the politics of the day, as you know. They are charged with protecting the health of the kids, of our families, of our senior citizens, whether they are in Alaska, California, New York, or anyplace else in America. They are not the Environmental Pollution Agency. As much as big oil would like to dictate to them, they are not going to be dictated to by big oil.

By the way, the EPA was set up by Richard Nixon. Let's be clear here. Some of the officials from these States, Republicans, have weighed in against the Murkowski resolution and we will show that in a bit here.

EPA did what they were directed to do by the court. They had to do what the scientists and the health experts

told them to do. Again, the Murkowski resolution would overturn these findings. Leading scientists, physicians, and many others agree with the finding and have told us how much damage carbon pollution in the atmosphere can do. That is why they have stated their strong opposition to the Murkowski resolution.

Less than a month ago, the National Research Council, which is an arm of the National Academy of Sciences comprised of America's leading scientists, concluded that climate change is occurring. It is caused largely by human activities, and it poses significant risks for and is already affecting a broad range of human and natural systems. The National Research Council further concluded that changes in climate pose risks for a wide range of human and environmental systems, including freshwater resources, the coastal environment, ecosystems, agriculture, fisheries, human health, and national security.

EPA Administrators under Presidents Nixon, Ford, and Reagan oppose the Murkowski resolution. Let's be clear. This should not be a partisan issue. It may wind up being that, but it should not.

Russell Train, EPA Administrator under Presidents Nixon and Ford, writes: I urge the Senate to reject this and any other legislation that would weaken the Clean Air Act or curtail the authority of the Environmental Protection Agency to implements its provisions.

William Ruckelshaus, EPA Administrator under Presidents Nixon and Reagan, said: Thanks to the 2007 Supreme Court decision on global warming, EPA clearly has the right to regulate carbon. Anyone who would take away that power—it is a terrible idea.

William Ruckelshaus, EPA Administrator under Nixon and Reagan, said the Murkowski resolution is a terrible idea because this is the way we are going to address the problem of climate change.

Eighteen hundred scientists wrote to us opposing efforts to overturn this endangerment finding. In a letter to us, these scientists wrote: We the undersigned urge you to oppose an imminent attack on the Clean Air Act which would undermine public health and prevent action on global warming.

They go on to say: EPA's finding is based on solid science. This amendment represents a rejection of that science.

I ask unanimous consent to have printed in the RECORD the letter signed by 1800 scientists.

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

PROTECT THE CLEAN AIR ACT

(A letter signed by 1,806 U.S. Scientists)

DEAR CONGRESS: We the undersigned urge you to oppose an imminent attack on the Clean Air Act (CAA) that would undermine public health and prevent action on global warming. This attack comes in the form of House and Senate binding resolutions that would reverse the Environmental Protection Agency's (EPA) finding that global warming endangers public health and welfare. Because the EPA's finding is based on solid science, this legislation also represents a rejection of that science.

The EPA's ''endangerment finding'' is based on an exhaustive review of the massive body of scientific research showing a clear threat from climate change. The 2007 Fourth Assessment Report of the Intergovernmental Panel on Climate Change found that global warming will cause water shortages, loss of species, hazards to coasts from sea level rise, and an increase in the severity of extreme weather events. The most recent science includes findings that sea level rise may be more pronounced than the IPCC report predicted and that oceans will absorb less of our future emissions. Recently, 18 American scientific societies sent a letter to the U.S. Senate confirming the consensus view on climate science and calling for action to reduce greenhouse gases ''if we are to avoid the most severe impacts of climate change.'' The U.S. National Academy of Sciences and 10 international scientific academies have also released such statements. Unfortunately, the Murkowski amendment would force the EPA to ignore these scientific findings and statements.

The CAA is a law with a nearly 40-year track record of protecting public health and the environment and spurring innovation by cutting dangerous pollution. This effective policy can help address the threat of climate change—but only if the EPA retains its ability to respond to scientific findings. Instead of standing in the way of climate action, the Senate should move quickly to enact climate and energy legislation that will curb global warming, save consumers money, and create jobs. In the meantime, I urge you to respect the scientific integrity of the EPA's endangerment finding by opposing Senator Murkowski's attack on the Clean Air Act.

Mrs. BOXER. I also wish to display the public health organizations that oppose the Murkowski resolution.

We have to decide whom we want to listen to. Do we want to listen to big oil or politicians or do we want to listen to public health organizations that oppose the Murkowski resolution? I ask the American people to determine which side they are on—the American Academy of Pediatrics, the Children's Environmental Health Network, the American Nurses Association, the American Lung Association, the American Public Health Association, the National Association of County and City Health Officials, Trust for America's Health, Physicians for Social Responsibility, National Environmental Health Association, American College of Preventative Medicine, American Thoracic Society, the Association of Public Health Laboratories, the Association of Schools of Public Health, the Hepatitis Foundation International, the Union of Concerned Scientists. Again, we have included for the record the scientists, 1,800 of whom signed a letter to us opposing this.

I ask unanimous consent to have printed in the RECORD a letter signed by these entities as well as a separate letter from the American Lung Association.

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

FEBRUARY 23, 2010.

U.S. SENATE,
Washington, DC.

DEAR SENATOR: The undersigned national organizations, with a strong commitment to environmental public health issues, write in opposition to a potential amendment or ''Resolution of Disapproval'' by Senator Lisa Murkowski that would overturn or temporarily block the U.S. Environmental Protection Agency (EPA) endangerment finding for six greenhouse gases that contribute to climate change.

On December 7, 2009, EPA issued final findings that the greenhouse gases that contribute to climate change constitute a danger to public health and welfare. Some of the publc health effects of climate change cited in EPA's announcement include: increased likelihood of more frequent and intense heat waves, more wildfires, degraded air quality, more flooding, increased drought, more intense storms, harm to water resources and harm to agriculture. Given the serious public health implications of increasing greeenhouse gas concentrations, we believe overturning EPA's endangerment finding is bad public health policy.

We strongly urge you to oppose any amendmenmt or Resolution of Disapproval to overturn or restrict EPAs greenhouse gas endangerment finding.

Sincerely,

American Academy of Pediatrics; American College of Preventive Medicine; American Public Health Association; American Thoracic Society; Association of Public Health Laboratories; Association of Schools of Public Health; Children's Environmental Health Network; Hepatitis Foundation International; National Association of County and City Health Officials; National Environmental Health Association; Physicians for Social Responsibility; Trust for America's Health.

AMERICAN LUNG ASSOCIATION,
January 26, 2010.

DEAR SENATOR: On behalf of the American Lung Association, I write in support of the Clean Air Act and the implementation of the law by the U.S. Environmental Protection Agency. The American Lung Association urges the Senate to reject Senator Lisa Murkowski's Resolution of Disapproval (S.J. Res 26).

The resolution would block the U.S. Environmental Protection Agency's Supreme Court-directed endangerment finding that is required under Clean Air Act. EPA made this endangerment finding after a careful review of science and an extensive public comment process.

Specifically EPA concluded: ''Pursuant to CAA section 202(a), the Administrator finds that greenhouse gases in the atmosphere may reasonably be anticipated both to endanger public health and to endanger public welfare.'' (emphasis added)

The Senate must not vote to ignore the scientific evidence and reject its clear conclusions. The Clean Air Act mandates that the Environmental Protection Agency follow the science and then implement the law accordingly. The Resolution of Disapproval is a cynical attempt to disregard the science and block the enforcement of the Clean Air Act.

Since its passage in 1970, the Clean Air Act has been the nation's premier public health and environmental protection statute. The Clean Air Act is predicated on the protection of public health. Its implementation is grounded in sound science. The American Lung Association is a staunch supporter of this public health statute because of the enormous impact that air pollution has on

public health and the tremendous improvements in the nation's air quality that have resulted from this law.

The protection of public health is critically important. EPA has found that climate change will make attainment and maintenance of national ambient air quality standards more difficult as well as more frequent and more intense heat waves and other events that adversely impact respiratory health. The American Lung Association urges the Senate to support the Clean Air Act and reject S.J. Res 26.

Sincerely,

CHARLES D. CONNOR,
President & CEO.

Mrs. BOXER. These are the experts. These are the people we rely on when our children get sick. They don't take them, with all due respect, to Senator BOXER for a checkup or Senator MURKOWSKI for a checkup. They go to the pediatrician. The pediatricians oppose the Murkowski resolution. They are afraid of it because they know who is behind it. They know it is the special polluting interests, the big polluters who give big money to politicians. They know that. They are smart.

Let's be clear. We have on our side the people who are responsible for taking care of our kids, taking care of families, looking out for their health. They don't have any political skin in this game. They don't have any special interest in this game. They have one concern—the health of our families.

Overturning a scientific finding that states that carbon pollution is a threat to the health and well-being of the American public is a dangerous step. It would lead us down a perilous road that sets a precedent for appealing other scientific findings. I talked a little bit about that.

I want to talk specifically about two other findings that maybe one day any Senator, on either side of the aisle, could seek to repeal. Imagine if we had done this on lead, lead and children.

In 1973, EPA did what it had to do and issued an endangerment finding for lead in gasoline. At the time, the lead endangerment decision was controversial. This was the EPA under Richard Nixon. They said there was too much lead in gasoline. They said it was a danger to our kids. They said it would cause harm to the brains of our children. So the Administrator under Richard Nixon, William Ruckelshaus—who opposes the Murkowski resolution today—reached the conclusion that lead presented a significant risk of harm to the health of our population, particularly our children. What if a Member of Congress came down and said: We are going to overturn that. We don't like that rule. We don't like that finding. We disagree. We don't think it causes a problem. Can my colleagues imagine what would have happened? We would have seen the phase down of lead in gasoline delayed for a decade or more, leaving another generation of Americans exposed to serious health threats. We would have seen hundreds of thousands more children with impaired mental function. That is a fact. It may be a fact the other side doesn't want to hear, but it is a fact. That is why we have former members of the Nixon administration opposing the Murkowski resolution.

Let's look at the science behind the dangers of smoking. What would have happened if people didn't agree with Surgeon General Everett Koop—another Republican administration—and they came down and said: Well, we are going to speak for the tobacco companies here. Let's repeal that. Nicotine isn't a problem, not a problem at all. Let's just overturn that health finding.

Again, I ask my colleagues do they want to stand with the health experts, the lung association, the pediatricians, the nurses, or do they want to stand with the powerful special interests? It is a simple question. Every Member has to answer that.

We have to stop this attack on science and health. We have to stop this attack on the safety of our citizens. Our families come first.

I think it is important to note that overturning this endangerment finding—supporting the Murkowski resolution—is opposed by the auto industry and the autoworkers. This is what they tell us. We are spending $1 billion a day importing foreign oil. Do Members like that? Then vote for the Murkowski resolution. It is going to set us back. We won't get off foreign oil if we go down this path.

This is why we have the automakers opposing Murkowski: On behalf of the Alliance of Automobile Manufacturers and its 11 member companies, I am writing to express concern over the proposed resolutions of disapproval. If these resolutions are enacted, the historic agreement creating the one national program for regulating vehicle fuel economy and greenhouse gas emissions would collapse.

The autoworkers are asking us not to do this. Let's see what they say: The UAW is deeply concerned that overturning EPA's endangerment finding would unravel the historic agreement on one national standard for fuel economy. And they go on.

Clearly, we are at a point where we are finally seeing the auto industry come back to life. Let's not pass the Murkowski resolution and get them off track. After all the debate and all the arguments, I know the Senators from Michigan care deeply about what is happening to their autoworkers and their auto companies. We are very clear here what side they are on.

In summary, the Murkowski resolution would upend a historic agreement between auto companies, autoworkers, environmental groups, leading States such as California that formed the foundation of the recent EPA and DOT standards.

I am going to include for the RECORD a host of quotes from our national security experts who tell us that carbon pollution leading to climate change will be, over the next 20 years, the leading cause of conflict putting our troops in harm's way. That is why we have so many returning veterans who want us to move forward and address this issue so we can create the new technologies that get us off this foreign oil. Every time we import oil, we hurt ourselves. We have to get off these old energy sources. It is a transition. It is not going to happen overnight. But if we do things such as the Murkowski resolution, we will create chaos. We are going to see jobs lost. We are going to see us continue in an economic situation that has no new paradigm for economic growth, as we have learned from our venture capitalists, as we have learned from analysts, such as Thomas Friedman, who are so clear on this point.

The question before us is this: Will we protect the people we represent from dangerous pollution or will we choose to reject science? Will we choose to ignore the findings of the scientific community, the public health officials, and national security experts?

If we care about jobs—I know the Presiding Officer does—if we care about moving to a clean energy economy, if Members care about health, if they care about our environment and our natural resources, then they should vote no on proceeding to this resolution.

I hope we will carry the day. I know it will be close. But I have to tell my colleagues, this is a significant moment for the Senate because if we move down this path, ''Katy, bar the door.'' Any resolution, any health finding, any scientific finding is subject to politics. I would have thought that in the Senate, we might disagree with how to deal with the scientific finding—in other words, what kinds of rules and regulations should come out of it—but not to repeal the scientific finding itself. That would be unprecedented in the worst of ways.

I have used my time, the first half hour; am I correct?

The ACTING PRESIDENT pro tempore. The Senator has 10 seconds remaining.

Mrs. BOXER. Madam President, I have a number of fantastic speakers we will hear from in the next ensuing time.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Ms. MURKOWSKI. Madam President, at this time on the Republican side, I ask unanimous consent that for this next half hour, the order be Senator LINCOLN for 7 minutes, followed by Senator INHOFE at 13 minutes, Senator VOINOVICH for 7, and Senator GRAHAM for 5 minutes.

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

The Senator from Arkansas is recognized.

Mrs. LINCOLN. Madam President, I rise today in support of S.J. Res. 26, Senator MURKOWSKI's resolution of disapproval.

First, I would like to thank my friend and colleague, Senator MURKOWSKI, for her leadership to prevent

this heavy-handed EPA regulation of carbon emissions. I am proud to be part of a bipartisan group of Senators cosponsoring the resolution because I do believe EPA's regulatory approach is the wrong way to promote renewable energy and clean energy jobs in Arkansas and the rest of the country.

Allowing the courts and EPA to use the Clean Air Act to regulate greenhouse gases is truly misguided. It would threaten valuable jobs during an economic downturn, and it has the potential of actually discouraging the use of clean, renewable energy that is already helping to keep people working today.

But, first, let me say a few words on the energy challenges facing our Nation. We have committed to ambitious renewable fuel goals, and I have supported efforts to set a national renewable energy standard.

Just last June we passed a bipartisan energy bill out of the Senate Energy Committee, and I was very proud of that bill and hoped we would move forward on it.

In order to meet these goals and prosper in the 21st century, we must develop clean domestic energy supplies. This means developing all sources of energy—everything from wind, to natural gas, to, of course, biofuels.

My home State of Arkansas is already leading in this effort. Wind turbines and blades are manufactured in my home State of Arkansas, providing hundreds of green jobs to Arkansans. These include Nordex, LM Wind Power, Polymarin Composites, and Mitsubishi.

Arkansas is also home to the Fayetteville Shale, where clean burning natural gas has provided an enormous boost to the economy of central and north central Arkansas, producing jobs in a huge part of what has been positive for our economy.

Arkansas companies such as Future Fuel in Batesville, AR, are producing huge amounts of biodiesel, helping our Nation to meet the renewable fuel targets set forth in the 2007 Energy bill, not to mention their advanced battery technologies that they are researching and building upon.

Our wood and paper industry produces about two-thirds of the energy it needs from renewable forest biomass, providing and sustaining tens of thousands of jobs in the process. Facilities that range from small sawmills such as Bean Lumber in Glenwood and huge paper mills such as Domtar in Ashdown have taken steps to increase their use of renewable energy in recent years, saving thousands of critical jobs in the process.

These efforts in Arkansas, and similar efforts all around our country, are leading the way toward a clean energy future—one that reduces our emissions, reduces our dependency on foreign oil, and provides economic opportunity and jobs to so many of our citizens.

Unfortunately, EPA regulation of greenhouse gases does not move us any closer to a clean energy future or to reducing our dependency on foreign oil. Furthermore, it is simply the wrong tool for addressing greenhouse gas emissions.

Congress, the elected representatives of the people of this Nation—not unelected bureaucrats—should be making the complicated, multifaceted decisions on energy and climate policy. Furthermore, it is a widely shared view that the Clean Air Act, with its command-and-control approach to regulating air emissions, is the wrong fit for addressing greenhouse gas emissions.

One example of the way the EPA's approach to regulating carbon emissions does wrong is the way the proposed tailoring rule treats emissions from biomass energy. The tailoring rule equates carbon emissions from renewable energy with fossil fuel emissions. This is not consistent with years of internationally accepted policy, and it could penalize important industries and cost thousands of jobs, including some 10,000 direct and thousands of additional indirect jobs in our State of Arkansas.

As chairman of the Committee on Agriculture, Nutrition, and Forestry, I am also concerned about the effects EPA's regulation of greenhouse gases will have on production agriculture and domestic food security.

The hard-working farm families of this great Nation produce the safest, most abundant, affordable supply of food and fiber in the world, and they do it with greater respect to the environment than any other growers across the globe. For every one American mouth we feed, we feed 20 mouths globally, and it is critical we make sure we maintain the ability to do that.

According to a recent University of Tennessee economic analysis, EPA regulation will result in billions of dollars in losses in net returns for agriculture from 2010 to 2015, with the largest declines occurring in crops grown in our State of Arkansas, such as soybeans, cotton, and rice. These figures are frightening for agriculture in our State, particularly during a time of recession.

Furthermore, over 100 agricultural groups have expressed their concerns with EPA regulation of carbon and expressed their support of the Murkowski resolution. These groups include national associations for wheat, dairy, corn, cotton, rice, poultry, beef, pork, and eggs. These groups also include many specialty crop growers as well.

I also want to speak for a moment about what this resolution does not do. Some think this resolution weakens the Clean Air Act. It would not amend or otherwise affect the plain language of the Clean Air Act. It would not change or in any other way alter the words within the existing statute.

My colleagues and I are concerned about what will follow EPA's decision to release the endangerment finding—a unilaterally imposed all-sticks-no-carrot policy that actually discourages renewable energy use and penalizes those industries that have acted early to adopt clean energy technologies.

That is not the direction in which we want to go. We know, desperately, that we want to lower our carbon emissions, lessen our dependence on foreign oil, and create good, green jobs. This attempt, overreach, and this action by unelected bureaucrats at EPA is not going to help us achieve those goals.

Lastly, let me address a criticism heard in recent days: that a vote for the Murkowski resolution is a bailout or somehow a boon for big oil in the wake of the tragic oilspill in the Gulf of Mexico. Nothing could be further from the truth.

These critics would like the public to believe that opposing EPA regulation of greenhouse gas emissions is somehow related to the oilspill. Nothing could be further from the truth. We all know the British Petroleum spill in the Gulf of Mexico needs to be addressed through legislation that ensures the safety, effectiveness, and sustainability of oil and other resource extractions—as we will very soon. We are all concerned about what has happened in the gulf.

I certainly know, as a neighbor to the north of Louisiana, and one whose economic livelihood depends on the Port of New Orleans—not to mention the wonderful natural resources that we partner with the State of Louisiana in trying to preserve—this is a horrific circumstance that exists there, and we are all going to do everything we can not only to provide the cleanup but to ensure this kind of catastrophe never happens again.

But this issue is separate from the EPA regulation of greenhouse gases. I do not know, in my recent election if people had listened to what was on the TV, they would have thought I singlehandedly was responsible for what happened in the Gulf of Mexico. This is not where we solve that problem. We have much to do there and we should do it and I am all about getting about that business.

What would EPA regulations affect? I think that is the question we have before us. In Arkansas, it would affect manufacturers and their employees.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mrs. LINCOLN. Madam President, I ask unanimous consent for an additional 30 seconds.

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

Mrs. LINCOLN. In Arkansas, it would affect manufacturers and their employees: facilities such as Great Lakes Chemicals in El Dorado, Green Bay Packing in Morrilton, Nucor Steel in Blytheville, Georgia Pacific in Crossett, FutureFuel Chemical Company in Batesville, and Riceland Foods in Stuttgart.

These Arkansas facilities, employing several thousand people, supporting families with good-paying jobs, would

be threatened by EPA regulation of greenhouse gases. That is why I encourage my Senate colleagues, with similar consequences facing their States, to vote for this resolution.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. INHOFE. Madam President, it is my understanding I have 13 minutes. I would like to have the Acting President pro tempore tell me when I have 1 minute left.

The ACTING PRESIDENT pro tempore. Of course.

Mr. INHOFE. That is kind of interesting because I have probably talked on this subject over the last 7 years for 200 or 300 hours, and I never had any trouble before getting time. It lets you know there is an awakening in the people who are looking at this particular vote that we are going to have today. Many of them believe in their hearts that anthropogenic gases cause global warming. I do not believe that. And there is everyone in between. The point is not that. It is, do we really want to have this bureaucracy?

Let me just comment. I was here when my good friend, Senator BOXER, was making her comments. That was very interesting because she spent three-fourths of her time talking about the oilspill. Let me say, there is no relationship between this and the oilspill. There is no reason to talk about them in the same speech.

When they talk about big oil—as she said, ''big oil has all this control''—well, big oil is BP. The last I checked, BP is very much involved with the majority, with the White House. In fact, I went and checked. I found out in my last Senate race, I was given $2,000 by BP. And I checked, in the last Senate race, which was the first Senate race by then-Senator Obama, he got three times as much money as I did. Now we find out that during the Kerry-Lieberman bill that has been talked about quite a bit, BP has been behind closed doors with them. Everybody knows this.

Now, it is not big oil behind this bill. Behind this bill you have the American Association of Housing Services for the Aging, Family Dairies USA, the Farm Bureau, the National Federation of Independent Business, the Brick Industry Association—all of these organizations, wholesome American organizations that are behind this issue because they do not want us to give up all the freedoms we would have to give up.

When Senator LINCOLN was talking about the tailoring rule, I know there has been a problem with those who are pushing for the endangerment finding, trying to make everybody believe that somehow it was not going to happen to anyone except some of the big industries, the refiners, the big manufacturers. No, the tailoring rule they are talking about is something that unilaterally they thought they would be able to get by with without anyone even noticing it, when, in fact, the Clean Air Act very simply says the emission of 250 tons in a period of a year.

Now, 250 tons, that is every farm in my State of Oklahoma. That is every church. So it covers everyone. But let me go back in this brief period of time and try to put this in perspective. Eleven years ago we had the Kyoto Treaty. This is the big treaty then-Vice President Gore wanted the American people to have to ratify. They wanted to bring it to the Senate for ratification. They did sign that treaty, but it never came up for ratification.

Do you want to know why? It did not come up because at that time it was so objectionable that we had a resolution that passed on the floor of this Senate 95 to 0—not one dissenting vote—saying: We do not want to be part of any movement or bill or treaty that treats developing nations differently than developed nations. That is exactly what it did. That resolution also said we do not want to ratify any treaty or pass anything that is going to be an economic hardship for the United States of America. Obviously, this was the case.

So we set the stage 11 years ago. Now we are facing this same thing again. I have to say that when Republicans were a majority, I chaired the Environment and Public Works Committee, which had the jurisdiction over most of this stuff we are talking about today. I have to also say, back then I honestly, in my heart, believed the anthropogenic gases, the CO_2, the methane, caused global warming because everyone said it did—catastrophic global warming. Now they do not call it that anymore since we are in the eighth year of a cooling period. They say ''climate change.'' That sounds a little bit more palatable.

But I can remember when I did believe that, until we started looking at the various bills that came up. We have voted in this Chamber five times on cap-and-trade bills, starting right about 2002 and up to the present day, and there is one pending today. During that period of time, we started looking at it and realizing what it would cost. The first analysis of what cap and trade would cost—and the same thing goes for the EPA under their regulations—would have been somewhere between $300 billion and $400 billion.

When we calculate that, in my State of Oklahoma—I always do the math—if we take the number of families who file tax returns, that would have been $3,100—not once but every year. So with that type of thing, looking at it, I thought: Well, as chairman of this committee, maybe we ought to look and be sure the science is accurate, the science is there. So we started looking at it and finding out this whole thing started—let's keep in mind, it started with the United Nations, the IPCC. That is the Intergovernmental Panel on Climate Change. They then were joined by all these Hollywood elites—moveon.org, George Soros, Michael Moore, and all these groups—until we realized they were pushing this, but the science was flawed.

I first made my statement on the Senate floor in 2002 that created some doubt in a lot of people's minds as to the accuracy of the science that the IPCC was putting together. There had been inquiries by many quality scientists who had said they rejected our input. We don't have any kind of an input in this issue, unless you agree with the United Nations and the IPCC, that categorically it is causing catastrophic global warming. Then they didn't let the scientists have their input.

So we started gathering all of this information. People were coming to me saying: This is a fraud. I gathered enough material that 7 years ago this month, I made a speech and I said the notion that anthropogenic gases, that CO_2 causes catastrophic global warming is the greatest hoax ever perpetrated on the American people. Then the scientists started coming in with their stuff. I would suggest that a lot of people don't agree with what I just said, so they ought to look at my Web site.

Five years ago I made a speech and I talked about all the scientists who were coming forward. As it turned out, when climategate came, essentially it was the same thing I said 5 years ago. The scare tactics we hear from Senator BOXER that this is all about the gulf, the oilspill, and all of that stuff, this is what they have been using. If we take Al Gore's science fiction movie and the IPCC and look at all of the assertions they made in this movie and the IPCC has made, every one has been refuted.

I can't find one assertion that has now not been refuted: melt Himalayan glaciers by 2035, not true; endanger 40 percent of the Amazon rain forests, not true; melt mountain ice in the Alps, Andes, and Africa, not true; deplete water resources for 4.5 billion people by 2085, totally refuted; slash crop production by 50 percent in North Africa by 2020; 55 percent of the Netherlands lies below sea level.

I can remember when Vice President Gore—no, it was after he was Vice President—we had a hearing in our committee, and we had several of the parents of young kids coming to us and saying: You know, my young child, my elementary age child is forced to watch this movie once a month, and they have been having nightmares and all of this stuff. So a lot of damage was done at that time.

But when we get back to what we are faced with today, we are faced with something they tried to pass. This administration has tried ever since they came in to pass cap-and-trade. A cap-and-trade, logically, you would say: Well, if you want to cut down on greenhouse gases, why not put a tax on CO_2?

The reason they don't do that is because then people would know what it is costing them. So there were all of these cap-and-trade bills that came up, and they were not able to pass them.

So this administration said, I am sure—I wasn't in the meeting; I am not invited to those meetings of the President—but they said: We can't get it passed in Congress. We can't get it passed in the House or the Senate, so let's go ahead and do it. We will just run over them with the administration. So they said: We are going to have an endangerment finding.

This is kind of interesting because right before going to Copenhagen—and for those of you who don't know this, once a year the U.N. throws a great big party and everybody goes to some exotic place and they try to sell the idea that we need to have this international treaty and, of course, it hasn't happened. Before Copenhagen—that was in December of this past year I can remember that we had—I suspected they would have an endangerment finding right while we were in Copenhagen to make it sound as though we were going to do something in the United States. In fact, I went over as a one-man truth squad and had a pretty good time.

Anyway, on the endangerment finding, Lisa Jackson, who is the Administrator of the EPA, an appointee of Obama, testified. I said to her: You know, Madam Administrator, this is live on TV. I suspect what is going to happen is that you are going to have an endangerment finding and try to take this over and do all of these punitive things to America under the Clean Air Act. If there is an endangerment finding, it has to be based on science. What science would you use if you are going to have an endangerment finding?

The answer was, It is going to be the IPCC, primarily, and that is the very science that climategate used when it came along, and it has been pretty much debunked. In fact, it was characterized in Great Britain as the greatest political scandal in the history of our country.

So, anyway, the endangerment finding was all based on that, and that is where we find ourselves today. So I would say this: I only talk about the science. I don't like to talk about the science because I know people don't understand it. But I did it because if you are one of those—and I say this to the Chair; I say this to anyone who might be listening at this time—if you believe that anthropogenic gas causes catastrophic global warming and climate change, then what would this do to remedy that? Well, the answer is nothing because the same Lisa Jackson who testified before our committee when I asked her this question—

The ACTING PRESIDENT pro tempore. The Senator has 1 minute remaining.

Mr. INHOFE. Thank you, Madam President.

I said: If we were to pass this, any of these cap-and-trade bills, or if we were to do this through the Clean Air Act through the Environmental Protection Agency, how much would that reduce the worldwide CO_2 emissions?

Her answer was, Well, it wouldn't reduce it because this would only apply to the United States.

What I am saying is, if you want to invoke all of this money spent, all of this cost on the American people, on every farmer in America, even if you believe the concept is there, it still wouldn't reduce the emissions. You could argue it could increase the emissions because our manufacturing base would have to go to places such as China, India, Mexico, places that didn't have the standards we have, and it would have the effect of increasing—actually increasing—CO_2.

So I just hope those individuals will realize if they think the problem is real, this isn't going to solve it.

I yield back.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. VOINOVICH. Madam President, I rise to speak in support of the bipartisan resolution to disapprove EPA's endangerment finding, S.J. Res. 26.

First of all, I am not here as a climate skeptic. I believe we should reduce emissions, but the steps we take must balance our Nation's energy and economic needs.

Climate change is a global environmental issue that cannot be solved by America acting alone. EPA's own data shows us that unless the rapidly expanding economies of China and India reduce emissions, U.S. action will have no impact on global temperatures.

It is widely acknowledged that regulations that flow from EPA's endangerment finding will jeopardize job creation, our economic recovery, and American competitiveness. That has been made very clear by those who have spoken before me. This was openly acknowledged by the Obama administration last year when the White House Office of Management and Budget cautioned:

> Making the decision to regulate CO_2 under the [Clean Air Act] for the first time is likely to have serious economic consequences for regulated entities throughout the U.S. economy, including small businesses and small communities.

This is far from incidental. The endangerment finding is the centerpiece of a coercive strategy designed to force Congress into passing cap-and-trade legislation. This was confirmed by a senior White House economic official late last year who was quoted as saying:

> If you don't pass this legislation, then . . . [EPA] is going to have to regulate in a command-and-control way, which will probably generate even more uncertainty.

Time magazine likened this approach to ''putting a gun to Congress' head.''

But this is a false dichotomy. Senators have before them a number of policy options to address climate change, including the power to remove the threat of EPA regulation. That the Senate has not yet embraced a bill speaks more to the flaws contained in those policies than to this body's willingness to act. In fact, economic analysis of every major piece of climate change legislation shows they would result in net job losses and retard economic growth with little or no impact on global temperatures. Why would the Senate choose to enact economically damaging legislation in order to stave off economically damaging regulations? This Senator certainly will not.

In their efforts to gain leverage over the legislative branch, administrative officials claim the resolution to disapprove EPA's endangerment findings would prevent fuel efficiency in vehicles through new EPA regulations. More recently, claims have been made that the resolution is a way to protect big oil in the wake of the gulf disaster. These claims are disingenuous on their face.

First, EPA's endangerment finding does nothing to clean up the Gulf of Mexico or prevent future spills. To suggest otherwise is an opportunistic bait and switch and an insult to the people of the gulf, the intelligence of the American people, and the Senate.

Second, EPA's endangerment finding has nothing to do with fuel savings. The National Highway Traffic Safety Administration has had authority to increase corporate average fuel economy—CAFE—standards for over 30 years. Indeed, NHTSA was required by law to raise light-duty vehicle standards to at least 35 miles per gallon when Congress passed the Energy Independence and Security Act in 2007.

In a February 19 letter, NHTSA's general counsel stated:

> The Murkowski resolution does not directly impact NHTSA's statutory authority to set fuel economy standards.

Indeed, in its own rule, EPA confirms that ''the CAFE standards address most, but not all, of the real world CO_2 emissions'' from automobiles.

In reality, EPA's rules are the ''camel's nose'' under the regulatory tent.

In spite of the Supreme Court's ruling in Massachusetts v. EPA, only the most tortured—tortured—reading of the act allows one to conclude that the Clean Air Act was intended to address global climate change. The act contains no express authorization to regulate, and there are no provisions recognizing the international dimension of the issue. I know this for a fact. I have been on the Environment and Public Works Committee for almost 12 years, and during those 12 years attempts have been made every 2 years to amend the Clean Air Act to include CO_2. In every instance, it has been turned down.

As a matter of fact, this issue has been dealt with over and over by the Senate. In fact, starting back in 1997, the Senate spoke directly to this issue where, by a vote of 95 to 0, it passed the Byrd-Hagel resolution. The resolution specifically stated that the United States should not commit itself to limits or reduce greenhouse gas emissions unless developing countries embrace specific commitments to reduce greenhouse gases. The overarching concern

was the serious harm that would be inflicted on the U.S. economy by unilateral action.

In other words, for us to go ahead and let the EPA regulate this and do it on our own, in effect what we are doing is we are unilaterally disarming the U.S. economy for absolutely no environmental gain.

Copenhagen showed us that the developing world will continue to resist binding reduction targets, and while China continues to build two coal-powered plants a week—in other words, while China puts up two coal-fired plants a week, the Sierra Club and other environmental groups in this country are shutting down any opportunity for us to use coal in terms of generating energy.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. VOINOVICH. I ask unanimous consent to speak for 1 more minute.

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

Mr. VOINOVICH. Despite the fragile state of the economy and the futility of the effort in environmental terms, this administration presses forward.

In the final analysis, the Clean Air Act does not recognize the international nature of climate change and is not suited to regulate greenhouse gas emissions. The administration's attempt to use it to force Congress to adopt economically damaging climate policy is a reckless stunt, especially when one considers the very real challenges America faces today.

I am hoping that the Senate supports S.J. Res. 26, removes the gun from its head and gets on with the business of debating a sound energy policy. I suggest that the best way we can start to do this is by looking at the bipartisan bill—the Bingaman bill—which came out of the Energy Committee. That is where we should start if we want to be constructive in dealing with greenhouse gas emissions.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. BOXER. How much time remains on the Republican side?

The ACTING PRESIDENT pro tempore. Five minutes.

Mrs. BOXER. I thank the Chair.

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

Mr. GRAHAM. Madam President, I appreciate what Senator MURKOWSKI is trying to do. Maybe this is a balance-of-power issue. The court ruled, I think in 2007, that greenhouse gases could be regulated under the Clean Air Act. Senator VOINOVICH is right. Congress has never made that decision. There have been efforts in the past to get carbon pollution regulation by the Clean Air Act, but it was never passed legislatively. The courts have spoken.

The tool being used today is a legislative tool available to the Congress to basically put regulatory powers in check, and what we are doing by passing this amendment is basically stopping the EPA from regulating carbon. And here is the real rub: If we stop them, are we going to do anything?

My view is that we need to do several things to replace the EPA. The EPA regulation of carbon cannot provide transition assistance to businesses. They don't have the flexibility or the tools necessary to create rational energy policy. That would create an economic burden at a time we need to create economic opportunity. So I think the regulatory system of dealing with carbon pollution is the wrong way to go, but to do nothing would be equally bad. To do nothing means China is going to develop the green energy technology that is coming in the 21st century.

What I propose is that the Congress, once we stop the EPA, create a rational way forward on energy policy that includes clean air and regulation of carbon.

No. 1, the trust fund that is used to build roads and bridges is tremendously underfunded. Senator INHOFE and others have challenged the Congress time and time again to do something about shortfalls in the highway trust fund.

To the transportation community, if you are listening out there, you have a chance, as a broader package, to be part of a broader deal to get money for the highway trust fund. But you will never do it standing alone. We are not going to raise taxes to put money in the transportation trust fund and that is all we do.

I think the transportation sector needs to be looked at anew. How can we lower emissions on the transportation side, reduce our dependency on foreign oil, and replenish the trust fund? I would argue that Congress could come up with policies that would dramatically reduce CO_2 emissions coming from cars and trucks without a cap on carbon; that we could have incentives on the transportation side to develop alternative vehicles—battery-powered cars, hydrogen-powered cars, hybrid cars in different fashions that would break our dependency on foreign oil.

If you take this debate and separate it from our dependency on foreign oil, you have made a huge mistake. Madam President, $439 billion was sent overseas by the United States last year to buy oil from countries that don't like us very much. When you talk about controlling carbon, you ought to be talking about energy independence.

I suggest that Congress look at the transportation sector with a comprehensive approach that will reduce our dependency on foreign oil, that will create vehicles that are more energy efficient and produce less carbon to clean up the air, and you can do all that without a cap and put money into the trust fund to rebuild bridges and roads that are falling apart as America grows. These are jobs that will never go to China. We need to have a vision on transportation that needs to be part of our broader vision.

When it comes to breaking our dependency on foreign oil, we need to use less oil in general. The President is right. A low-carbon economy is a safer America, a cleaner environment and I think a more prosperous America. But we have natural fossil fuel assets in this country. We have oil and gas.

The gulf oilspill is a tremendously catastrophic environmental disaster, but if we overreact and say we are going to stop exploring for domestic oil and gas—9 million barrels a day comes from domestic exploration, and we use 21 million barrels a day—the people in the Mideast would cheer that policy. The biggest winner in stopping domestic exploration for oil and gas would be OPEC nations. So it is not in our national security interest, not in our economic interest to make a rash decision on oil and gas exploration.

I encourage the Congress to slow down, find ways to safely explore for oil and gas, and make it part of an overall energy vision that will allow us to break our dependency on foreign oil.

When it comes to job creation, wind, solar, battery, and nuclear power—all of the energy efficiency green technology that will come in this century is going to come from China if we don't get our act together. We need a rational energy policy that would incentivize alternative energy to be developed in America before the world takes over this emerging market. That means incentives for wind, solar, and, yes, nuclear power. Twenty percent of our power comes from the nuclear industry, and 82 percent of the French economy's power comes from the nuclear industry. Surely we can be as bold as the French. If you had a renaissance of nuclear power in this country, you could create millions of jobs. We could come up with ways to treat the waste.

President Obama has been very good on nuclear power. His administration, with Secretary Chu, has been excellent in trying to develop incentives to expand nuclear power in a safe fashion.

Carbon is bad. Let's do something about it in a commonsense way. You don't have to believe in global warming to want clean air. This idea about what to do with carbon—you don't have to believe the planet is going to melt tomorrow, but this idea that what comes out of cars and trucks and coal-fired plants is good for us makes no sense to me. If we can clean up the air in America, we would be doing the next generation and the world a great service. The key is, can you clean up the air and make it good business? I believe you can. Let's pursue both things: good business and clean air.

Mrs. BOXER. Madam President, I ask unanimous consent that whatever extra time was given to the other side be added to our time.

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

Mrs. BOXER. Madam President, at this point, we are going to hear arguments against the Murkowski resolution from Senator DURBIN for 6 minutes, followed by Senator REED of Rhode Island for 5 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Madam President, the Murkowski resolution gives the Senate a choice between real science and political science. That is what it comes down to.

The EPA went to the scientists across America and asked them the basic question: Do greenhouse gas emissions endanger life and the planet on which we live? After months and thousands of comments and 380,000 scientific comments, they concluded that it does. They said that we have a responsibility under the Clean Air Act to protect the people in the United States and the people on Earth. We are going to move forward with a gradual, systematic way of reducing greenhouse gas emissions because we know they are causing damage.

Twenty-one years ago, I went to Alaska, to Prince William Sound, after the Exxon Valdez ran aground. I saw the thousands of barrels of black, sludgy oil covering that pristine and beautiful part of America in Alaska.

I have spoken to the Senator who is the sponsor of this resolution. Twenty-one years later, we still know that ecology, that environment has not recovered from that spill. But that was very obvious. You could see it. It was filthy. There are changes in the environment that are hurting Alaska today that are hard to see.

We know greenhouse gas emissions and air pollution are changing Alaska, with the loss of sea ice; the melting permafrost; coastal erosion in villages, such as Shismaref, that have been falling into the ocean; ocean acidification. The Arctic icecap, which is a key ecological component of Alaska's ecology, has a record-low amount of Arctic sea ice.

Are we to ignore this? You will ignore it if you vote yes for the Murkowski resolution. You will choose political science over the real science that tells us that unless we come to grips with the air pollution that threatens us, it will not only endanger our lungs and our lives, it will endanger the planet on which we live.

In 1970, we created the EPA, under President Richard Nixon. In those days, 40 years ago, the environmental issues were bipartisan issues. People came together and said: We can address the challenges facing us in the United States and around the world on a bipartisan basis.

Well, bipartisanship is still alive when it comes to important environmental issues. There is bipartisan opposition to the Murkowski resolution. It turns out those who headed the EPA under Presidents Nixon, Ford, and Reagan all oppose the Murkowski resolution. They believe, as scientists do, that we have a once-in-a-lifetime opportunity to seize this moment and find a way to save this planet we live on and make it healthier for all of us and for our children.

We have had great success with the Clean Air Act. We have reduced pollution. We are moving forward. But the Murkowski resolution says stop—stop taking those actions that have been proposed by the EPA to reduce pollution; ignore the scientific findings and accept the political science.

What do I mean by that? There are political forces strongly in support of the Murkowski resolution. Big oil is one of them. Energy companies agree we should stop this EPA regulation. Of course, they have a vested interest. They have money on the table. How credible is big oil today on the floor of the Senate when we have witnessed the disaster in the Gulf of Mexico? Are we going to criticize them in the morning in speeches and then reward them by passing this resolution in the afternoon? I hope not.

I hope we will take an honest look at the environment we live in and understand that to give away basic scientific findings, walk away from them, and embrace political science is something we will never be able to explain to future generations.

The United States should join in leading the world to clean up the planet on which we live. Passage of the Murkowski resolution is a step backward. It will say to the world that the United States is in complete denial; that the Senate is rejecting the findings of scientists all across the world; and that we don't need to address climate change and the impact of air pollution on our lives.

This is a singular historic moment. I sincerely hope my colleagues on both sides of the aisle—and I hope it is bipartisan again—will join in standing up for science, for clean air, for an approach to the environment that says our kids will have a fighting chance to live on a planet that can sustain life and do it in a healthy way.

I reserve the remainder of my time on this side and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. REED. Today, in the midst of the biggest oil spill in our Nation's history, we are debating a joint resolution, supported by the oil industry, among others, that effectively says that the Senate, with its extensive expertise, believes the Environmental Protection Agency was wrong to conclude that greenhouse gases are pollutants despite the preponderance of the evidence, scientific evidence, that shows this to be an accurate and correct assessment. The Senate can pass a resolution saying practically anything, but it does not change reality. The fact is, the best science tells us that climate change is real and that greenhouse gas emissions contribute significantly to it.

It is also true that our continuing reliance on fossil fuel undermines not only our environmental quality but our national and economic security. We have seen the environmental effects played out dramatically and catastrophically in the Gulf of Mexico with the BP disaster. But if we do nothing, we will continue to see our economy held hostage by our need for fossil fuels and the billions of dollars a year we send overseas to buy oil. We will see our national security imperiled by our over-reliance on these fossil fuels and our continuing inability to take effective, measured action based on science to control these greenhouse gases.

This resolution is more than just our opinion; it would effectively and permanently block the EPA from taking concrete steps today to deal with this problem. For example, it would prevent the EPA from collaborating with the National Highway Traffic Safety Administration on new vehicle efficiency and emission standards. These are commonsense, doable achievements, and, in fact, we are seeing even the automobile industry support this. It is estimated that if the EPA and the highway traffic safety administration move forward, they could save consumers more than $3,000 in fuel costs over the lifetime of their vehicles. Think of that. If we were talking about a $3,000 tax rebate to Americans, everybody would be jumping up and down saying that is great.

By improving the efficiency of automobiles and doing it in a thoughtful way, we can provide consumers, families, over the lifetime of a vehicle—several years—$3,000 in benefits rather than shipping that $3,000 overseas to buy petroleum. That is a pretty good deal. This resolution would effectively prevent that.

The proponents of the resolution say: Congress has to act on this. That is true, but I would be more encouraged with that line of argument if it were matched by effective action to deal with the serious problems that face this country today. Indeed, we have spent months and weeks laboring over the extension of unemployment benefits. Every significant bill that has come to this floor has been filibustered time and time again. To suggest disingenuously that we will pass this resolution and get on to a climate change bill, pass it within several weeks or months is, I think, not borne out by the evidence of what we have seen in this Chamber over the last several months.

We have to move forward. As I said, this is not only an economic issue. It is a national security issue. The Quadrennial Defense Review in February 2010 noted—this is the review that is done periodically to assess the strategic position of the United States:

> Assessments conducted by the intelligence community indicate climate change could have significant geopolitical impacts around the world, contributing to poverty, environmental degradation, and the further weakening of fragile governments. Climate change will contribute to food and water scarcity, will increase the spread of disease, and may spur or exacerbate mass migration.

In effect, what this review suggested is that it is very likely climate change will be an accelerant of instability. At this moment in time, the last thing we need is to accelerate instability in the world.

One of the challenges we face is that this is not the Cold War where we are facing a monolithic Soviet Union and its allies in a strategic conflict that can be managed through deterrence. This is a situation where our greatest danger today is in unstable parts of the world, and that instability is going to be accelerated if we do not take steps. This is not just an issue of the economy, environmental rules, whether Congress should act or the agencies act. This is whether we are going to deal with the forces that are causing turmoil and instability in the world.

For these reasons and many others, I urge rejection of this resolution.

I reserve the remainder of our time, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

The Senator from New York.

Mr. SCHUMER. Madam President, my esteemed colleague from New York, I first thank our Chair, the Senator from California, who does a great job on all of these issues. I thank the Senator from Rhode Island for his, as usual, excellent and prescient words.

I join my colleagues in strong opposition to S.J. Res. 26. This is a joint resolution disapproving of the rules submitted by EPA which finds that greenhouse gases threaten the public health and our environment. This resolution, if enacted, would turn back the clock on years of scientific research that tells us greenhouse gases are damaging to our environment and our public health.

This resolution could not be coming at a more meaningful moment in our Nation's history. As we speak, thousands and thousands of barrels of oil continue to pour into the gulf, disrupting lives, posing enormous risk to our shorelines, and costing our economy billions of dollars. Now is certainly not the time to tie the Federal Government's hands when it comes to weaning our Nation off unclean fuels. Now would be the last time to allow business as usual for the oil companies who always, as the BP incident shows, prioritize profits over clean energy production and safety and pollution reduction.

The most enthusiastic supporters of this resolution we are debating today are BP, its fellow oil companies, and their lobbyists in Washington. Why should we let BP and their lobbyists take the driver's seat? Why should we allow them to tell us how to achieve energy independence, how to keep American people safe from greenhouse gases? They are certainly not good about telling us how to keep safe from oilspills.

We are witnessing firsthand what happens when industry is allowed to do what is best for industry. There are 37 million reasons why we cannot let this resolution pass today: 37 million barrels today have bled into the gulf on the industry's watch.

I urge my colleagues to put aside their ideological positions on government regulation and instead work together to rewrite energy policy in this country. We need to focus all of our efforts on a comprehensive solution to a complicated problem and pass legislation to jump-start clean energy, cap greenhouse gases, and improve our energy security. It is critical that we join together in a national commitment to reduce our dependence on fossil fuels.

We have come too far to reverse the tide on investment in American technology to reduce pollution and to produce cleaner energy. And we still have miles to go.

Even my colleagues who argue about the science of global warming agree that energy independence is also a national security issue. We send $1 billion a day overseas to buy foreign oil in large part from unstable and dangerous companies such as Iran, and unfriendly countries such as Venezuela. Our brave men and women fighting in Iraq and Afghanistan suffer significant casualties during the transportation of fuel and fuel-related supplies which are prime targets for our enemies.

Because we have failed to break this dangerous cycle of dependence, we are more reliant on foreign oil today than in the days after 9/11. We certainly can do better. This resolution is a step back.

We also all agree that America should have the cleanest air and the cleanest water of any place on Earth. We all know a cleaner America is a stronger America. Placing a cap on carbon emissions is the simplest way to achieve this collective goal while creating more U.S. jobs and reducing our dependence on foreign oil. And, it works.

Two decades ago, President Bush implemented an air pollution cap as a way to address the problem of airborne sulfur dioxide, known as acid rain, greatly affecting my State. The Bush plan worked. Today it is considered one of the most effective environmental initiatives in U.S. history. Lakes in upstate New York, in the Adirondacks and elsewhere, that once were dead are now coming alive.

We are at a crossroads right now, and the decisions we make will have great impacts on our economy, our air quality, and our Nation's energy security. We can choose to deny the science and continue to pollute the air, fall behind in the energy race, and let big oil run roughshod over our economy and environment or we can say no.

Or we can learn the lessons from our past, carefully weigh the facts and forge a new clean energy future to put America back on the road to prosperity.

We need to put ideology aside and pass comprehensive energy reform this year. Majority Leader REID has indicated that we will make an energy bill a top priority this summer. I look forward to working with my colleagues to do just that.

Once again, I want to voice my opposition to S.J. Res. 26 and urge my colleagues to vote against this attempt to undermine America's nearly 40-year effort to cut dangerous pollution, protect our air quality, and spur innovation.

The ACTING PRESIDENT pro tempore. The Senator has consumed 5 minutes.

Mr. SCHUMER. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. BOXER. Madam President, our speakers at this time will be Senator SHAHEEN for 5 minutes, Senator SANDERS for 5 minutes, and Senator CANTWELL for 5 minutes.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I am pleased to be here to join my colleagues and Senator BOXER—and I thank her for her leadership in this effort—to keep from turning back the clock on our air quality. We desperately need to reform our country's energy policies.

Our reliance on fossil fuels means polluting our air, it results in an enormous transfer of wealth to other countries—$1 billion a day—and it compromises our national security. We are currently sending $150 billion a year to countries that the State Department deems dangerous and unsafe.

There are tremendous costs domestically associated with this reliance on fossil fuels. We saw it in 1989 with the Exxon Valdez spill in Prince William Sound, and we are seeing it now as the largest environmental disaster in our country's history plays out before our very eyes in the gulf—the loss of life and the tragedy to the environment. The way of life that so many people in the gulf have enjoyed for generations is unfortunately, we think, going to be gone. We pay a very heavy price for our dependence on fossil fuels. Now is the time to work together to get America running on clean energy.

Reforming our Nation's energy policies will help us take control of our future in America, a future that will be built on clean energy and American power.

To those who say we should not be reducing carbon pollution, I simply disagree. We have heard the same tired stories from big oil and big polluters again and again. They tell us reducing carbon pollution will kill jobs and wreck our economy. Time and time again, we have heard these same arguments, and we know they are not true.

Since we passed the Clean Air Act in 1970, we have dramatically reduced emissions of dozens of pollutants, we have improved air quality, and we have improved public health. The EPA estimates that this year, the Clean Air Act prevented an estimated 20,000 deaths, more than 23,000 cases of chronic bronchitis and asthma, and 59,000 hospitalizations.

Yet during this same period, despite the current recession that has set us back, with the Clean Air Act, we have been able to grow our economy. Our gross domestic product has more than tripled, and average household income grew more than 45 percent.

We know we can protect the public health, save our environment, and grow our economy.

The resolution we are debating today will unravel the only ability we have right now to address carbon pollution. For those who say Congress should make a decision about how to address carbon, they are absolutely right. But instead of debating efforts to protect big polluters, we should be using this time to debate how to position our country to lead in the global clean energy economy.

I have no doubt that the American people have the ingenuity and the competitive spirit to solve our energy challenges. What they need is some leadership from us in Washington. Now is the time to get America running on clean energy.

I urge my colleagues to reject this resolution and for all of us to work together to craft energy policies that will help us transition to a clean energy economy that will stop carbon pollution and our reliance on fossil fuels.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. SANDERS. Madam President, I rise in strong opposition to the Murkowski resolution which, sadly, is sponsored by virtually the entire Republican caucus, which would overturn EPA's endangerment finding under the Clean Air Act that greenhouse gas emissions pose a threat to the public health and welfare.

This resolution is not about whether EPA or Congress should regulate greenhouse gas emissions. What this resolution is about is whether we go forward in public policy based on science or based on politics. That is what this resolution is about.

I have a very hard time understanding where all of this antiscience sentiment is coming from. If an American gets sick and goes to a doctor, she does not worry about whether that doctor is a Republican or a Democrat, whether the doctor is conservative or progressive. The concern is that the physician is well trained by a certified academic institution and has the scientific knowledge needed to treat the ailment. That is what Americans go to doctors for. It is not a political issue. It is a matter of science and biology, of the best medical treatment available.

But somehow when we talk about global warming, we do not have to worry about the science, we do not have to worry about what the leading experts and scientific institutions all over the world are telling us. For whatever reason, this discussion about global warming is now political, not scientific.

This is absurd. It should be no more political than the best cancer treatment available or how we deal with a broken leg. Let's look at the science. Let's look at the leading scientists all over the world.

Scientists at the following world-renowned American institutions have all found that human-caused greenhouse gas emissions are causing global warming. Here they are: NASA, National Science Foundation, Departments of Defense, Agriculture, Energy, Interior, Transportation, Health and Human Services, State, Commerce, the Smithsonian Institute, the National Academies of Science, the American Meteorological Society, the American Association for the Advancement of Science. The CIA believes global warming presents one of the major security risks facing our country. If all of these scientific institutions are wrong, why do we continue funding them?

But this is not an issue just for the American scientific community or governmental agencies. This is the consensus that exists in virtually every country in the world.

It is ironic this resolution against the science of global warming comes from the Republican Senator from Alaska, a State clearly experiencing the impacts of global warming. The Alaska State government Web site says:

> Global warming is currently impacting Alaska and will continue to impact it in a number of ways. These impacts include melting polar ice, the retreat of glaciers, increasing storm intensity, wildfires, coastal flooding, droughts, crop failures, loss of habitat and threatened plant and animal species.

Three Alaskan villages have begun relocation plans, and the U.S. Army of Corps of Engineers says over 160 more rural communities are threatened by erosion from global warming impacts. This is going on in Alaska.

The evidence of global warming is overwhelming. NASA has reported that the previous decade was the warmest on record—90 percent of observed glaciers are shrinking. Glacier National Park had 150 glaciers in 1910 and now has just 30. Arctic sea ice is covering smaller areas every summer. Sea levels have risen as much as 9 inches in some areas, causing the island nation of Maldives to divert revenues to purchase a new homeland for its people. Harmful insects are migrating for higher altitudes and causing forest destruction, including 70,000 square miles of American and Canadian forests since 2000.

So with all of this evidence, who is arguing against global warming? Who is saying it is not real? Well, the well-known climate expert Glen Beck has suggested climate scientists should commit suicide and compared Al Gore to Adolf Hitler. There you go. Rush Limbaugh, another scientist of outstanding repute, says global warming is ''bogus'' and is the work of ''pseudoscientists.''

Well, from where are these rightwing media commentators getting their talking points? In many cases from precisely those corporations that want us to remain dependent on fossil fuel, that want us to continue importing hundreds of billions of dollars a year of foreign oil, that want to continue making record-breaking billions and billions of dollars in profit as they charge us $3 per gallon of gas.

During the 1990s, big oil companies such as Exxon and BP funded an industry front group called the Global Climate Coalition.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. SANDERS. I ask unanimous consent for an additional 30 seconds.

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

Mr. SANDERS. These oil companies used tobacco industry lobbyists and tactics to cast doubt on global warming science.

What this is about is, if our Nation is to prosper, if we are to create the millions of jobs we desperately need, we have to have science-based public policy and not politically based. I would hope that we will reject, very strongly, the Murkowski resolution.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Ms. CANTWELL. Madam President, I thank Senator BOXER for her passionate leadership in defense of the Clean Air Act and the pollution protections this bedrock law provides every American. I appreciate her yielding me time to speak in opposition to the Resolution of Disapproval introduced by Senator MURKOWSKI.

Madam President, I don't think any of my colleagues would disagree that the Clean Air Act has been one of the most effective environmental laws ever passed in our Nation. It has literally saved the lives of thousands of children who would otherwise have suffered terribly from the effects of air pollution.

The economic benefits of the Clean Air Act are immense, and it has been credited with turning around a dire acid rain problem that was threatening the natural heritage of all of New England. The critically important 1970 amendments to the Act were a bipartisan bill. Those improvements—really called the Muskie Act, in honor of the key role played by the former Senator from Maine, Ed Muskie—were, of course, signed into law by a Republican President, Richard Nixon.

The next major revisions came 20 years later, in 1990, and those improvements cracked down on acid rain and lead in our gasoline supply.

But today we are talking about a Resolution that would undermine the Clean Air Act, rather than strengthen it. We are actually debating whether to overturn the science-based determination that greenhouse gases pose a threat to the public health and welfare to the current and future generations of Americans.

Madam President, the Supreme Court ruled in 2007 that greenhouse gases are pollutants and are covered by the

Clean Air Act. Consequently, the court held that the Environmental Protection Agency must make a determination, based on the available science, about whether greenhouse gases pose a threat to the public. EPA engaged in a thorough public process, assessed the available scientific evidence, and ultimately determined that greenhouse gases do pose a threat to public health and welfare.

The reason I recount all this history, Madam President, is to show that these findings are not the casual or capricious action of a small group of bureaucrats. Rather, they are the result of a long and transparent process prescribed by statute and the highest court in the land.

In announcing her resolution last January, my colleague, Senator MURKOWSKI, said:

> We should continue our work to pass meaningful energy and climate legislation, but in the meantime, we cannot turn a blind eye to the EPA's efforts to impose back-door climate regulations.

While I fully agree with my colleague on the first point—we do need to work together on meaningful energy and climate legislation—I have to say I disagree on the second point, about the back-door regulations. Though Congress may not have specifically anticipated greenhouse gas emissions when the Clean Air Act was originally passed, the same can be said of many pollutants. Indeed, when the 1970 law passed, only five pollutants were initially listed. Since then, dozens of additional pollutants have been listed and the air we breathe is better for it. This is not an example of an agency overreaching, it is the way the Clean Air Act was designed to work.

The drafters of the Clean Air Act never claimed they could predict all of the pollutants that might someday fall under its jurisdiction. That is why they established a framework and a public process that could be used to regulate any pollutant that science—science—ultimately identified as a threat to public health and welfare.

Today, 40 years later, we have come to the point where thousands of scientists, working throughout the Federal Government and around the world over the course of decades, have identified a serious risk associated with the emissions of greenhouse gases. Given these scientific findings, the legal mandate from the United States Supreme Court, and the statutory requirements spelled out in the Clean Air Act, the EPA has a responsibility to act.

For Congress now to undermine this process would be——

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Ms. CANTWELL. I ask unanimous consent for an additional 15 seconds.

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

Ms. CANTWELL. For Congress now to undermine that process would be to undermine the Clean Air Act itself and the sanctity of science-based policymaking. It would be a very bad precedent, and it would be a threat to our children and to the environment in which we want them to grow up.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Ms. MURKOWSKI. Madam President, for this next 30 minutes, we will be allocating the block in a 20-minute segment that will be under the control of Senator BARRASSO to engage in a colloquy with several of our Republican colleagues, and following that 20 minutes there will be 10 minutes under the control of Senator NELSON of Nebraska.

We have a lot of Members who wish to speak in support of this resolution, so we are trying to accommodate as many as possible. With that, I yield to my friend, the Senator from Wyoming.

Mr. BARRASSO. Madam President, I thank my colleague for allowing me to conduct this colloquy with other colleagues who are here as part of the Senate Western Caucus. We are here to speak in favor of the Murkowski resolution in opposing what the Environmental Protection Agency is trying to do in terms of its efforts to regulate climate change because we know that is a job killer for all Americans.

I see my colleague, Senator HATCH from Utah, and I understand he has some new information he would like to share with the people of America and the Senate.

Mr. HATCH. Madam President, I thank my colleague, and I appreciate being here with my two colleagues from Wyoming and also Idaho. Let me start by applauding Senator MURKOWSKI for her strong leadership on this issue, and I stand squarely behind her effort.

To summarize what has already been laid out, the EPA has released findings that, No. 1, human carbon emissions contribute in a significant way to global warming, and, No. 2, global warming, which has been going on for about 10,000 years now, is an endangerment to humans.

The EPA's foundation for its proposal relies on the assumption that both of these findings are the truth.

Madam President, I was sorely disappointed but not too surprised when I learned the EPA based its ''findings'' almost entirely on the work done by the United Nations Intergovernmental Panel on Climate Change—or the IPCC. I have no problem with much of the science produced by the IPCC scientists, but I have a real problem with the way that science is summarized by the political leaders at the IPCC and by the conclusions drawn by those same political leaders in the IPCC's Summary for Policymakers, which is not a science document.

It becomes immediately evident that the EPA relies heavily on these political summaries and conclusions rather than actual science produced by the IPCC because we now have abundant proof that a wide gulf exists between what the science indicates and what the political leaders of the IPCC pretend that it indicates.

But I am not asking anyone to take my word for this. Instead, let's listen to what the IPCC scientists are saying about the conclusions that politicians at the IPCC have been selling to policymakers. Here is what Dr. John T. Everett has to say. He was an IPCC lead author and expert reviewer and a former National Oceanic and Atmospheric Administration senior manager. He says:

> It is time for a reality check. Warming is not a big deal and is not a bad thing. The oceans and coastal zones have been far warmer and colder than is projected in the present scenarios of climate change.

Well, there is one of the IPCC's top scientists saying that the warming we are experiencing is not an endangerment.

Let's hear another scientist, Dr. Richard Tol. He was the author of three full U.N. IPCC working groups and the Director of the Center for Marine and Atmospheric Science. He says:

> There is no risk of damage [from global warming] that would force us to act injudiciously.

As an illustration, he explains:

> Warming temperatures will mean that in 2050 there will be about 40,000 fewer deaths in Germany attributable to cold-related illnesses like the flu.

What is that, Madam President? Here we have another top scientist at the IPCC telling us that warming will actually save lives, not endanger them?

Dr. Oliver W. Frauenfeld, a contributing author to the U.N. IPCC Working Group 1 Fourth Assessment Report, sends those of us who are policymakers a serious warning. He says:

> Only after we identify these factors and determine how they affect one another, can we begin to produce accurate models. And only then should we rely on those models to shape policy.

I hope my colleagues in the Senate are listening today because these U.N. IPCC scientists are speaking directly to us. I wonder at what cost to our economy and our competitiveness will we as policymakers continue to ignore the actual scientists at the IPCC? There is nowhere near a scientific consensus on either one of the EPA's ''findings'' that humans are causing warming or that warming is necessarily bad for the environment or for humankind.

MIT climate scientist, Dr. Richard Lindzen, another IPCC lead author and expert reviewer, dispels the notion there is a scientific consensus in favor of drastic climate policy. He explains:

> One of the things the scientific community is pretty agreed on is those things will have virtually no impact on climate no matter what the models say. So the question is do you spend trillions of dollars to have no impact? And that seems like a nobrainer.

Another top IPCC scientist and lead author was Dr. John Christy. He explained that the U.N. IPCC process had become corrupted by politics. He says:

> I was at the table with three Europeans, and we were having lunch. And they were

talking about their role as lead authors. And they were talking about how they were trying to make the report so dramatic that the United States would just have to sign that Kyoto Protocol.

The politicization at the U.N. was so egregious that Dr. Christopher W. Landsea, U.N. IPCC author and reviewer and expert scientist with NOAA's National Hurricane Center, pronounced:

I personally cannot in good faith continue to contribute to a process that I view as both being motivated by pre-conceived agendas and being scientifically unsound.

Now, Madam President, there are many more U.N. and government scientists who have publicly expressed their professional opinions that the IPCC political projections are overblown and not supported by the science. I have put together a sampling of their quotations in a report called the ''UN Climate Scientists Speak Out on Global Warming.'' It is available for download on my Climate 101 link on my Web page. I ask unanimous consent to have printed in the RECORD two documents relating to climate change.

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

(See Exhibit 1.)

Mr. HATCH. Madam President, I would like to address an issue that has been very carefully ignored by the EPA; that is, the—get this word—''benefit'' Americans can expect from the EPA's actions.

As Senators, not many of us are scientists, but each of us is a policymaker. As policymakers, we are expected to fully analyze the costs and benefits of any proposal that comes before us.

The endangerment the EPA points to is the warming we are supposedly causing. If warming is the endangerment, then the benefit is the amount of warming the regulations would avoid. Thanks to the IPCC, we have all the numbers and assumptions we need to be able to determine just how much warming we could avoid for the amount of carbon emissions the EPA can stop.

Let's go on the assumption that the EPA will successfully reduce human CO_2 emissions in this country by 83 percent over the next century. According to the alarmist and some would say overblown assumptions at the U.N. IPCC, Americans can expect a cooling benefit of somewhere between 0.07 and 0.2 degrees Celsius after a full 100 years of effort. That is right, we are being asked to give up trillions of dollars in economic activity, send all manufacturing activity overseas, give up millions of jobs, and put basic human activities under the control of the EPA, all for a benefit that cannot be measured on a household thermometer after 100 years of sacrifice and pain.

The EPA tells us our human carbon emissions are leading to a general catastrophe, but then we find out that if we do what they say, it will make no real difference. So I ask the EPA Administrator this question: Have you done a real risk-benefit analysis of these proposed carbon emission regulations? I don't want to hear all the scary scenarios about general global warming; I want to know the actual risk associated with an 0.07 to 0.2 degree decrease in temperature over 100 years because that is what we are talking about here. That is the analysis I want to see because when you stack up the astounding costs on the scale against such a tiny benefit, you have the most lopsided and obvious failure of a cost-benefit analysis I have ever seen.

I notice my other two colleagues are here. I have gone on a little longer than I wanted to.

EXHIBIT 1

[From National Geographic News, July 31, 2009]

SAHARA DESERT GREENING DUE TO CLIMATE CHANGE?

(By James Owen)

Desertification, drought, and despair—that's what global warming has in store for much of Africa. Or so we hear.

Emerging evidence is painting a very different scenario, one in which rising temperatures could benefit millions of Africans in the driest parts of the continent.

Scientists are now seeing signals that the Sahara desert and surrounding regions are greening due to increasing rainfall.

If sustained, these rains could revitalize drought-ravaged regions, reclaiming them for farming communities.

This desert-shrinking trend is supported by climate models, which predict a return to conditions that turned the Sahara into a lush savanna some 12,000 years ago.

GREEN SHOOTS

The green shoots of recovery are showing up on satellite images of regions including the Sahel, a semi-desert zone bordering the Sahara to the south that stretches some 2,400 miles (3,860 kilometers).

Images taken between 1982 and 2002 revealed extensive regreening throughout the Sahel, according to a new study in the journal Biogeosciences.

The study suggests huge increases in vegetation in areas including central Chad and western Sudan.

The transition may be occurring because hotter air has more capacity to hold moisture, which in turn creates more rain, said Martin Claussen of the Max Planck Institute for Meteorology in Hamburg, Germany, who was not involved in the new study.

''The water-holding capacity of the air is the main driving force,'' Claussen said.

NOT A SINGLE SCORPION

While satellite images can't distinguish temporary plants like grasses that come and go with the rains, ground surveys suggest recent vegetation change is firmly rooted.

In the eastern Sahara area of southwestern Egypt and northern Sudan, new trees—such as acacias—are flourishing, according to Stefan Kröpelin, a climate scientist at the University of Cologne's Africa Research Unit in Germany.

Shrubs are coming up and growing into big shrubs. This is completely different from having a bit more tiny grass,'' said Kröpelin, who has studied the region for two decades.

In 2008 Kröpelin—not involved in the new satellite research—visited Western Sahara, a disputed territory controlled by Morocco.

''The nomads there told me there was never as much rainfall as in the past few years,'' Kröpelin said. ''They have never seen so much grazing land.''

''Before, there was not a single scorpion, not a single blade of grass,'' he said.

''Now you have people grazing their camels in areas which may not have been used for hundreds or even thousands of years. You see birds, ostriches, gazelles coming back, even sorts of amphibians coming back,'' he said.

''The trend has continued for more than 20 years. It is indisputable.''

UNCERTAIN FUTURE

An explosion in plant growth has been predicted by some climate models.

For instance, in 2005 a team led by Reindert Haarsma of the Royal Netherlands Meteorological Institute in De Bilt, the Netherlands, forecast significantly more future rainfall in the Sahel.

The study in Geophysical Research Letters predicated that rainfall in the July to September wet season would rise by up to two millimeters a day by 2080.

Satellite data shows ''that indeed during the last decade, the Sahel is becoming more green,'' Haarsma said.

Even so, climate scientists don't agree on how future climate change will affect the Sahel: Some studies simulate a decrease in rainfall.

''This issue is still rather uncertain,'' Haarsma said.

Max Planck's Claussen said North Africa is the area of greatest disagreement among climate change modelers.

Forecasting how global warming will affect the region is complicated by its vast size and the unpredictable influence of high-altitude winds that disperse monsoon rains, Claussen added.

''Half the models follow a wetter trend, and half a drier.''

SAMPLE OF SCIENTIFIC STUDIES SHOWINGREAL-WORLD BENEFITS OF WARMING FOR SPECIES AND HABITAT

IPCC GLOBAL WARMING-INDUCED EXTINCTION HYPOTHESIS BASED ON COMPUTER MODELS

1. Woodwell (1989) wrote that ''the climatic changes expected are rapid enough to exceed the capacity of forests to migrate or otherwise adapt.''

[Woodwell, G.M. 1989. The warming of the industrialized middle latitudes 1985–2050: Causes and consequences. Climatic Change 15: 31–50.]

2. Davis (1989) said that ''trees may not be able to disperse rapidly enough to track climate.''

[Davis, M.B. 1989. Lags in vegetation response to greenhouse warming. Climatic Change 15: 75–89. Gear, A.J. and Huntley, B. 1991. Rapid changes in the range limits of Scots pine 4000 years ago. Science 251: 544–547. Root, T.L. and Schneider, S.H. 1993. Can large-scale climatic models be linked with multi scale ecological studies? Conservation Biology 7: 256–270.]

3. Malcolm and Markham (2000) agreed that ''rapid rates of extinction [since] many species may be unable to shift their ranges fast enough to keep up with global warming.''

[Malcolm, J.R. and Markham, A. 2000. Global Warming and Terrestrial Biodiversity Decline. World Wide Fund for Nature, Gland, Switzerland.]

4. Thomas et al. (2004) developed computer models predicting future habitat distributions. These models were used by the IPCC to make estimates of species extinction.

[Malcolm, J.R., Liu, C., Miller, L.B., Allnutt, T. and Hansen, L. 2002. Habitats at Risk: Global Warming and Species Loss in Globally Significant Terrestrial Ecosystems. World Wide Fund for Nature. Gland, Switzerland.]

SCIENTIFIC REBUTTALS TO THOMAS' COMPUTER MODELS

1. Stockwell (2000) observes that the Thomas models, due to lack of any observed extinction data, are not 'tried and true,' and their doctrine of 'massive extinction' is actually a case of 'massive extinction bias.'

[Stockwell, D.R.B. 2004. Biased Toward Extinction, Guest Editorial, CO2 Science 7 (19): http://www.co2science.org/articles/V7/N19/EDIT.php]

2. Dormann (2007) concludes that shortcomings associated with climate alarmist analyses ''are so numerous and fundamental that common ecological sense should caution us against putting much faith in relying on their findings for further extrapolations.''

[Dormann, C.F. 2007. Promising the future? Global change projections of species distributions. Basic and Applied Ecology 8: 387–397.]

PLANTS' ABILITY TO AVOID EXTINCTION WITH THE HELP OF CO2

1. Idso and Idso (1994) found that high levels of CO2 have many positive effects on plants.

[Idso, K.E. and Idso, S.B. 1994. Plant responses to atmospheric CO2 enrichment in the face of environmental constraints: A review of the past 10 years' research. Agricultural and Forest Meteorology 69: 153: 203.]

2. Idso and Idso (1994) also showed that the positive effects of CO2 on plants were amplified as temperatures increase.

[Idso, K.E. and Idso, S.B. 1994. Plabt responses to atmospheric CO2 enrichment in the face of environmental constraints: A review of the past 10 years' research. Agricultural and Forest Meteorology 69: 153: 203.]

3. Wittwer (1988) asserts that even the most extreme global warming envisioned by the IPCC would probably not affect the majority of Earth's plants, because 95% of all plants can naturally adapt to high levels of CO2 while remaining in their current habitat.

[Wittwer, S.H. 1988. The greenhouse effect. Carolina Biological Supply, Burlington, NC.]

4. Drake (1992) shows that increases in atmospheric C02 can actually raise the optimum growth temperature of plants.

[Drake, B.G. 1992. Global warming: The positive impact of rising carbon dioxide levels. Eco-Logic 1(3): 20–22.]

REAL-WORLD EXAMPLES OF PLANTS ADAPTING TO CLIMATE CHANGE

1. Allen et al. (1999) discovered that the vegetation naturally responds to rapid changes in climate. Warmer was always better in terms of vegetation production.

[Allen, J.R.M., Brandt, U., Brauer, A., Hubberten, H.-W., Huntley, B., Nowacyk, N.R., OBerhansli, H., Watts, W.A., Wulf, S. and Zolitschka, B. 1999. Rapid environmental changes in southern Europe during the last glacial period. Nature 400: 740–743.]

2. Kullman (2002), in a long-term study of the Swiss Alps, similarly shows that the Earth's vegetation can rapidly respond to climate warming. Warming does not result in species extinction, but actually leads to a greater number of species.

[Kullman, L. 2002. Rapid recent range-margin rise of tree and shrub species in the Swedish Scandes. Journal of Ecology 90: 68–77.]

PLANTS DO NOT NEED TO MIGRATE TO ADAPT

1. An international team of 33 researchers found that, with warming, ''when species were rare in a local area, they had a higher survival rate than when they were common, resulting in enrichment for rare species and increasing diversity with age and size class in these complex ecosystems.''

[Wills, C., Harms, K.E., Condit, R., King, D., Thompson, J., He, F., Muller-Landau, H.C., P., Losos, E., Cmita, L., Hubbell, S., LaFrankie, J., Bunyavejchewin, S., Dattaraja, H.S., Davies, S., Esufali, S., Foster, R., Gunatilleke, N., Gunatilleke, S., Hall, P., Itoh, A., John, R., Kiratiprayoon, S., de Lao, S.L., Massa, M., Nath, C., Noor, M.N.S., Kassim, A.R., Sukumar, R., Suresch, H.S., Sun, I.-F., Tan, S., Yamakura, T. and Zimmerman, J. 2006. Nonrandom processes maintain diversity in tropical forests. Science 311: 527–531.]

EVOLUTIONARY RESPONSES TO CLIMATIC STRESSES

1. Franks et al., 2007 showed that disease incidence was lower in environments with elevated CO2 levels.

[Franks, S.J., and Weis, A.E. 2008. A change in climate causes rapid evolution of multiple life-history traits and their interactions in an annual plant. Journal of Evolutionary Biology 21: 1321–1334.]

2. Sage and Coleman (2001) concluded that species are continually evolving and have high capacity for further evolving as CO2 content continues to rise.

[Sage, R.F. and Coleman, J.R. 2001. Effects of low atmospheric CO2 on plants: more than a thing of the past. TRENDS in Plant Science 6: 18–24.]

ANIMALS AVOIDING EXTINCTION—BIRDS

1. Thomas and Lennon (1999) showed that both British birds and European butterflies have expanded their ranges in the face of global warming. This is a positive response that decreases the likelihood of extinction to a lower possibility than it was before the warming.

[Thomas, C.D. and Lennon, J.J. 1999. Birds extend their ranges northwards. Nature 399: 213.]

2. In a similar study (1999) Brown et al. showed that the warming trend leads to an earlier abundance of food for the Mexican jay. This, in turn, leads to the jay laying eggs earlier in the season, and thus increasing the chances of survival for young jays.

[Brown, J.L, Shou-Hsien, L. And Bhagabati, N. 1999. Long-term trend toward earlier breeding in an American bird: A response to global warming? Proceedings of the National Academy of Science, U.S.A. 96: 5565–5569.]

3. Brommer (2004) demonstrates that the range of birds in a warming world will likely increase in size, which decreases the likelihood of extinction.

[Brommer, J.E. 2004. The range margins of northern birds shift polewards. Annales Zoologici Fennici 41: 391–397.]

4. Lemoine et al. concludes that ''increase in temperature appear to have allowed increases in abundance of species whose range centers were located in southern Europe and that may have been limited by low winter or spring temperature.'' In addition they found that, ''the impact of climate change on bird populations increased in importance between 1990 and 2000 and is now more significant than any other tested factor,'' because warming has tremendously benefitted European birds and helped buffer them against extinction.

[Lemoine, N., Bauer, H.-G., Peintinger, M. And Bohning-Gaese, K. 2007. Effects of climate and land-use change on species abundance in a central European bird community. Conservation Biology 21: 495–503.]

5. Hapulka and Barowiec (2008) observed that increasing temperatures over a 36-year period led to an increase in the length of the egg-laying period. For several reasons, these temperature increases resulted in birds having significantly more offspring.

[Halpuka, L., Dyrcz, A. And Borowiec, M. 2008. Climate change affects breeding of reed warblers Acrocephalus scirpaceus. Journal of Avian Biology 39: 95–100.]

6. UN Modeler Jensen et al (2008) stated, ''global climate change is expected to shift species ranges polewards, with a risk of range contractions and population declines of especially high-Arctic species.''

[Jensen, R.A., Madsen, J., O'Connell, M., Wisz, M.S., Tommervick, H. And Mehlum, F. 2008. Prediction of the distribution of Arctic-nesting pink-footed geese under a warmer climate scenario.]

7. When this theory was actually tested, the same researchers, Jensen et al (2008) discovered that global warming ''will have a positive effect on the suitability of Svalbard for nesting geese in terms of range expansion into the northern and eastern parts of Svalbard which are curently unsuitable.''

[Jensen, R.A., Madsen, J., O'Connell, M., Wisz, M.S., Tommervick, H. And Mehlum, F. 2008. Prediction of the distribution of Arctic-nesting pink-footed geese under a warmer climate scenario. Global Change Biology 14: 1–10.]

OTHER CLIMATE WARMING BIRD POPULATION STUDIES

1. UN modelers Seoane and Carrascal (2008) wrote that ''it has been hypothesized that species preferring low environmental temperatures which inhabit cooler habitats or areas, would be negatively affected by temperature during the last two decades.'' After an intense study of 57 species between 1996 and 2004, they discovered that, ''one-half of the study species showed significant increasing [italics added] recent trends despite the public concern that bird populations are generally decreasing,'' while ''only one-tenth showed a significant decrease.''

[Seoane, J. And Carrascal, L.M. 2008. Interspecific differences in population trends of Spanish birds are related to habitat and climactic preferences. Global Ecology and Biogeography 17: 111–121.]

Mr. BARRASSO. I think the Senator from Utah has made a clear point. The costs are real. The costs of doing this are very real. The benefits, however, are theoretical.

I see my colleague and friend from Idaho here. I ask him, who elected the Environmental Protection Agency? Because we sure know the American people are against these increased costs for energy and these job-killing regulations.

Mr. RISCH. I thank my colleague, Senator BARRASSO. You were cheating, looking at my notes over my shoulder. A well made point.

I come at this whole proposition from a little different way than perhaps a lot of my colleagues do. All of this debate has been about global warming and about whether we should regulate carbon and how we should do that and what have you. But that is not really the issue on this resolution. This resolution is about the separation of powers. The Constitution of this great land that we all took an oath to uphold is very specific in separating the powers of the executive branch, the legislative branch, and the judicial branch. The Founding Fathers wisely separated the different branches so that none could overpower the other. What are we doing here? The movement by the administration and by the Environmental Protection Agency is to take from the legislative branch the power that belongs to the legislative branch.

It is obvious in the debate that is going on here that we have deep differences, which we should have, because this is a major policy decision

that will affect every single American. It has profound effects on the economy. It has profound effects on the movement of jobs overseas. These are things that should be debated and are things that should be decided by elected persons—not by the people at the EPA, who are not elected and who are not answerable to the electorate.

When this happens, what you get is a deterioration of the Constitution of this great country. Each of the branches is constantly tugging at the other, attempting to pull power away from the other and attempting to consolidate power within itself. This movement by the EPA to effect policy is one of those power struggles. Every single Member of this body should be concerned about the shift of power from the legislative branch to the administrative branch.

What has happened here, as everyone can see, is this has become polarized. Again, it has become a partisan argument that we should allow the EPA to do this because we can't seem to get it through the legislative branch as quickly or as efficiently or leaning to the left as we want. That is wrong. It is just plain wrong. It should be decided right here. Those policy decisions should be debated here. Those policy decisions should be made on the floor of this body and on the floor of the House of Representatives. This is not a job for nonelected persons. It is a job for the people who have been elected and who have to go home again and face reelection and listen to the voters say: You did a great job controlling global warming or, you doofus, what are you doing? You can't possibly do it the way you want to do it.

That is a debate which should be held here. Why has this become so partisan? At the end of the day, we all know how this is going to come out. There are going to be 55 votes, give or take a couple, to defeat Senator MURKOWSKI's resolution. It is going to be generally on a party-line basis. At the end, the administration will claim a great and glorious victory again. But it will not be a great and glorious victory for the American people; it will be a defeat for the American people. And more important, it will be a defeat and another erosion of the Constitution of this great country and movement of power from the legislative branch where it belongs to the administrative branch, to the bureaucrats, to the people who are not elected. That is a wrong way to do this. It should stay right here in the legislative body.

I yield the floor back to my good friend, Senator BARRASSO.

Mr. BARRASSO. I think my colleague makes a key point. My colleague from Idaho has been discussing what has been described as the worst disaster in American history, and it is what is happening right today in the Gulf of Mexico. Should the Environmental Protection Agency maybe be focusing its efforts there, where we know there is a real problem, a real job to be done, real concerns, and the American people are looking or should the Environmental Protection Agency spend its time and spend our resources driving up the cost of energy and doing it with the idea that perhaps 100 years from now it might make a difference? The efforts ought to be placed today where the efforts are needed most. The Environmental Protection Agency ought to be focused on the gulf, not on something that theoretically may make a difference 100 years from now.

At a time when emissions are going up in China and going up in India and going up in Russia, going up all around the world, the Environmental Protection Agency says: I want to handcuff the American economy, handcuff the small businesses of this country. At a time with 9.7 percent unemployment, let's make it tougher on Americans—that is what the Environmental Protection Agency wants to do. If this Senate goes ahead and defeats the Murkowski amendment, they will be saying exactly the same thing. We are going to make it tougher on small businesses.

For the small businesses in the western part of the country, we have our small refiners, we have our agricultural folks, tourism folks—all of the different people as part of the Western Caucus. What is this impact going to do to you? What is your position? We contacted agricultural groups all around the West. Look at this map of the United States. More than half of the square miles of the United States included in here support the Murkowski resolution because they know it is key to their economy. It is key to those parts of the country. It is key to agriculture. It is key to energy production. And it is key to families who are trying to balance their budgets, live within their means. They do not want to see an increase in taxes, which is what this is—an increase in energy costs at a time of 9.7 percent unemployment.

I tell you, I am here to support the Murkowski resolution of disapproval. The EPA's endangerment finding starts the process of taxing everything Americans do: driving cars, heating homes, powering small businesses. This will cost millions of Americans their jobs.

It is fascinating. The Small Business Administration wrote to the EPA a couple of times reminding the Environmental Protection Agency to stop the endangerment finding and look at its impact on small businesses, on small communities. The SBA basically said: Comply with the Regulatory Flexibility Act, the law meant to protect small businesses from excessive regulation from Washington.

I will tell you, when you talk about excessive regulations from Washington, we have seen them in the last year and a half. This bedrock law was meant to protect the ranchers, the small refiners around the States, restaurant owners in Utah, dairy farmers—you name it. But with unemployment hovering at about 9.7 percent, it is unacceptable that the Environmental Protection Agency has failed to evaluate the impact of greenhouse gas regulations on the small businesses and the communities across America. Who grows jobs in America? Small businesses. In the last 15 years, small business owners have been responsible for 64 percent of all job creation in America. But additional regulations, additional rules, additional taxes make it that much harder.

Is it going to actually have an impact on the global environment? No, not at all, not when you take a look at what is happening in China, where their emissions are going to go up every year all the way through 2050. India's emissions are going up; more and more energy is being used. If you want to use energy well, the United States does the best job in using it efficiently.

It just seems that when I go home on weekends to Wyoming—and I will be there again tomorrow—and I talk to people in various parts of the State, they say: What are they thinking back in Washington? Why are they going to make it harder for us to compete? Why are they going to make it harder for us economically?

The food producers in our Nation compete globally to sell food products, and they do it in a way where we need to use energy. Agriculture is a hugely energy-intense operation, and anything that increases the costs of producing that food is going to get passed on to consumers in this country and consumers in other nations as we go ahead and try to compete and sell our products overseas.

It does seem that this EPA endangerment rule will ruin the small business engine that drives the economy on jobs.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BARRASSO. I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. NELSON of Nebraska. Madam President, today I rise to speak in support of the bipartisan resolution of disapproval offered by my colleague and friend, Senator MURKOWSKI from Alaska, and out of concern as well about a serious, harmful impact on Nebraska's economy that could result if the Environmental Protection Agency moves ahead with its plans to regulate carbon emissions in our country.

While I will outline some of that impact in a moment, I wish to first explain why I am supporting the resolution. I am supporting it to protect the Nebraska economy and our Nation's economy from EPA overreach. It is that simple. I want to send a clear message: Nebraska's farmers, ranchers, business owners, cities, towns, and hundreds of thousands of electricity consumers should not have their economic fortunes determined by unelected bureaucrats in Washington, DC.

Finding a national consensus on how to control the levels of carbon emissions is the job of elected Members of Congress. Reducing carbon emissions will have a substantial economic impact on our country but in different ways for different States. Congress should take the lead in determining the rules that will apply.

American people may not support. It does not change the Clean Air Act. It says Congress should write the new rules curbing carbon emissions.

The reason this is important can be found in what I have heard from many Nebraskans about the impact of the EPA's proposed carbon emissions regulations.

For nearly 2 years, since the EPA's initial Proposed Rulemaking for Regulating Greenhouse Gas Emissions under the Clean Air Act in July 2008, I have heard from Nebraskans.

Many agricultural, industrial and energy-related businesses and organizations in my State have warned that the EPA regulations will impose substantial new costs on farmers, ranchers, small businesses, communities and users of electricity. EPA regulations would impose a top-down government-directed regime that would raise the price of energy in Nebraska, add greatly to administrative costs, and create new layers of bureaucracy.

While no one can say how much, because even the EPA does not know yet what requirements will be imposed on power suppliers, the cost in Nebraska will be significant.

Regulated entities such as Nebraska's two Public Power companies, which provide electricity directly to 1.34 million Nebraskans in a State of 1.7 million residents, would be subject to an inflexible regulatory process. It would require new permits to be acquired before facilities are built or modified, and before Best Available Control Technology is purchased, installed, and operated.

The application process for a single EPA permit for a new or modified source could cost the applicant hundreds of thousands of dollars and require more than 300 person-hours for a regulatory agency.

In Nebraska today, coal serves as our primary fuel source to produce electricity. We also have a great potential to move to renewable energy resources such as wind. But the EPA's regulation of greenhouse gas emissions would force a move to other fuel alternatives at rates that would substantially increase the cost of electricity for consumers in our State. This is incontrovertible.

Soaring electricity rates would have a detrimental impact on many businesses and manufacturers. One of them is Nucor Steel in Norfolk, one of the largest users of electricity in Nebraska.

If you couple the electricity rate increase with new regulations and review processes for companies like Nucor to make major modifications to an existing facility or build a new facility, you have a recipe for trouble. EPA regulation of greenhouse gases would have chilling effects on new investment in our Nation's manufacturing sector that we are just beginning to see come around from the economic downturn.

Further, these new regulatory costs are not limited to our utility consumers and manufacturers. They could devastate Nebraska's No. 1 industry: Agriculture.

According the Nebraska Farm Bureau, were the EPA's tailoring rule not to work, an estimated 37,000 farms nationwide would emit more greenhouse gas emissions than the Clean Air Act threshold levels allow. Permits generally cost more than $23,000, so the regulations could add $886 million in costs to our farmers.

Not only will our farms bear additional bureaucratic costs, but they will be put at a disadvantage in the global marketplace.

The Nebraska Soybean Association notes that every other row of our State's soybean crop is exported. The EPA's new regulations will put commodities such as Nebraska-produced soybeans at a disadvantage to our foreign competitors who are not subject to similar burdensome regulations.

Earlier this year, in his State of the Union Address, the President called for doubling our exports over the next 5 years to create more jobs in America. That goal is at cross purposes with allowing new regulations to go forward that will hamstring our producers as they try to compete in the global marketplace.

Additionally, the Nebraska Corn Growers point out that the increase in the bureaucratic costs to farms will boost agriculture input costs. With that, our Nation's farms will not even be competitive with foreign producers here at home. That, then, in turn will lead to more foreign dependence and less security for the U.S. food and fuels supply.

This strikes me as possibly the biggest negative consequence of the EPA getting out ahead of Congress. As I pointed out time and time again during debate on the 2008 farm bill:

> If you love that we are dependent on other nations for our energy needs, you'll love even more relying on other nations for our food.

I am aware that some have argued that support of this resolution is an attack on the Clean Air Act. Some say that if the resolution passes it would lead to an even greater reliance on oil leading to more situations like the spill in the Gulf of Mexico.

I am not going to go for a smokescreen argument against the Murkowski resolution.

The resolution would only prevent an unwarranted and ill-advised expansion of the Clean Air Act's implementation. Every current standard and control for air pollution would be preserved exactly intact, as written and authorized by Congress.

Now, I have no doubt that carbon emissions should be reduced in the U.S. But not through excessively costly EPA regulations or a complicated cap and trade proposal that could spur speculation that enriches Wall Street, while not cleaning the air above Main Street.

In my view greenhouse gas emissions should be reduced through a comprehensive energy bill. One that promotes efficiency, innovation, new technology, and renewable energy such as wind and biofuels that can be produced in Nebraska's fields. An energy bill should help, not harm, Nebraska and the American economy as it cleans up the air.

By pursuing that kind of a sound energy policy we will take important steps toward ending our reliance on energy from areas that can be unstable such as the Middle East, South America and Africa. Instead, we can create our own American energy from the Sun, the wind and the biofuels available throughout the Midwest, and across our great land.

I believe there is bipartisan support for this type of comprehensive energy bill. I hope we can turn our attention to it soon.

We should work together on legislation that enables our agricultural and manufacturing industries to grow, rather than wilt under layers of unilateral and bureaucratic EPA directives.

When Congress takes the lead in that manner, Nebraska families, farmers and businesses will prosper, and so will America.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, at this time I yield 10 minutes to Senator FEINSTEIN, followed by 10 minutes to Senator CARPER.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, I just learned, by looking at one of the boards out here, that we have something called a Western Caucus, and the largest State in the Union that is bigger than all of the States in population in the caucus has not been invited to join the Western Caucus. Well, so be it. We will have to suffer along.

This measure, I believe, sets a dangerous precedent by invalidating the endangerment finding on greenhouse gas pollution. I strongly oppose it. I wish to make the public health argument.

What is an ''endangerment finding''? Simply put, it is a scientific determination made by the EPA that an air pollutant endangers the health and welfare of the American people and, therefore, it must be regulated under the Clean Air Act.

This came about because of a 2007 case, Massachusetts v. EPA. What the Supreme Court said was that the EPA has an obligation to study the impact of global warming. Specifically, the majority opinion found that ''greenhouse gases fit well within the Clean

Air Act's definition of an air pollutant.'' It ordered the EPA to comply with the Clean Air Act and make a determination about whether greenhouse gases could ''reasonably endanger public health or welfare.''

In December 2009, the EPA issued the required final endangerment finding, and that final finding said:

The emission of six greenhouse gasses, carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, threaten the public health and welfare of current and future generations.

Accordingly, the Administrator has initiated action to curb these emissions in order to protect the health and safety. Many argue, and I happen to concur, that a national cap-and-trade system on these gases might be more efficient and less costly than having to regulate them under the Clean Air Act. Yet, the Senate has failed time and again to approve climate change legislation. We have dithered while the Earth heats.

That means right now, EPA is the only Federal agency with the statutory authority to protect the American public's health and safety from greenhouse gas pollution.

The Murkowski resolution, however, would throw out this endangerment finding. It would stop EPA dead in its tracks. This would have some real and very serious consequences. First, it would put the Senate on record rejecting scientific analysis of EPA experts. Second, it would block the implementation of a new Federal fuel economy program. Third, it would put the Senate at odds with a coalition of 115 nations that signed the Copenhagen summit agreement. The President has threatened to veto this resolution if it passes, and I would support that veto.

Now, health effects. The EPA's endangerment finding says that global warming will have four significant detrimental human health effects. One, more heat waves will mean more heat-related deaths, which is already the leading cause of weather-related deaths in our country. Two, increased extreme weather events, such as hurricanes, put human lives at risk. Katrina demonstrated that in tragic fashion. And, three, a warmer climate will likely result in an increase in the spread of several food and waterborne pathogens, including tropical diseases.

Finally, and most important to the Chair's State and my State, EPA's endangerment finding states:

Climate change is expected to increase regional ozone pollution with associated risks in respiratory illnesses and premature death.

California has two of the worst nonattainment regions in the country: the South Coast Basin, including Los Angeles, and the San Joaquin Valley. Experts tells us combined ozone and particulate matter contribute to up to 14,000 deaths and $71 billion in health care costs every year.

Roughly 2.5 million Californians—that is bigger than most of these States in the Western Caucus—2.5 million Californians suffer from asthma, and it is increasing, and other air-pollution-related illnesses.

This is a matter of saving lives. It is a matter of major health concern and welfare, and it should be looked at that way. If temperatures rise as projected, these two regions of our country could see 75 to 85 percent more days with warming-related smog and ozone pollution. Fact. This means more asthma, more lung-related disease, more premature deaths from air pollution. These scientific observations are not political statements. They are fact established by scientific study after study. Yet the resolution offered today would reject this evidence.

The EPA is legally charged with protecting the public's health and welfare from air pollution. Not to do so, in my opinion, is malfeasance.

Additionally, the Murkowski resolution would invalidate the Federal fuel economy program. On April 1, the administration finalized joint standards issued by EPA and the National Highway Traffic Safety Administration, more fondly known as NHTSA, in coordination with the State of California to require automakers to increase fleetwide fuel efficiency from the 2008 average of 27 miles per gallon to the equivalent of 35.5 miles per gallon in 2016. This is important. It is based on the enacted Ten-in-Ten Fuel Economy Act which I authored with Senator OLYMPIA SNOWE and others. That law requires automakers to increase fleetwide fuel economy to the maximum feasible rate beginning with 2011 vehicle models. I have been proud and encouraged to see the administration aggressively implement this program. Yet if EPA's endangerment finding is invalidated by Congress and thrown out, it would mean that the Federal fuel economy program would collapse.

If that happens, California and 14 other States are required to enforce their respective State law, regulating tailpipe greenhouse gas emission standards. According to the auto industry, this would reimpose the very patchwork of regulation they have argued against for many years. This would be a major setback. EPA Administrator Jackson has written that Senator MURKOWSKI's resolution:

would undo the historic agreement among states, automakers, the federal government, and other stakeholders . . . leaving the automobile industry without explicit nationwide uniformity that it has described as important to its business.

State environment commissioners from nine States have written to Congress to explain that they prefer a national approach, but they will enforce their State statutes as long as the Federal Government refuses to act. So the effect of the Murkowski resolution will be to encourage a State-by-State variation of regulation. Not good. The EPA is the agency we have charged to protect our children and our environment from harmful air pollution. EPA is moving forward slowly and carefully to address this issue. Its proposed rules would apply only to the very largest sources until 2016, 6 years from now. If we in the Senate don't like EPA's proposal, we should pass a climate change bill. But the one thing we should absolutely not do is deny the existence of a problem that science says is severely dangerous to our planet.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. I wish to begin by saying some nice words about the Senator from Alaska. When she ran for the Senate the first time, she ran against one of my dearest friends, former Governor Tony Knowles, whom I tried very hard to elect to the Senate. When he lost, I said: You are here. I want to work with you. I want to be your partner on a whole lot of things.

This is one we cannot be partners and colleagues on. I want her to know, though, there will be other opportunities, and I look forward to those opportunities. Today I am compelled to oppose what she is attempting to do.

As my colleagues are aware, I go back and forth on the train every day and night. Usually before I catch the 7:15 train in Wilmington, I go to the YMCA and work out. Sometimes people talk to me and say: Hi, how are you? Sometimes they try to raise issues. This week a fellow came up to me and said: What is this all about? ''This'' being today's debate on the proposal of the Senator from Alaska. I didn't have time to explore it in detail in order to make my train, but I want to answer his question today.

This is about are we going to be guided by decades of science from thousands of respected scientists or not. This is about are we going to seize the opportunity that is inherent in the adversity we face at home and around the world or not. This is about are we going to get serious about ending our addiction to oil, a lot of which in our country is in places like the Gulf of Mexico, some thousands of feet below the surface of the water or not. This is about are we going to stop sending literally maybe hundreds of billions of dollars every year to places around the world that are unstable, nondemocratic, propping up tyrants who lead countries such as Iran and Venezuela or not. This is about are we going to continue sending troops to places such as Iraq or other places where they happen to have a lot of oil and we want to make sure there is access to the oil or not. This is about whether we are going to jump-start our economy at a time in our history when millions of young people are graduating from colleges, universities, and high schools wondering if they will have the kind of opportunity to find a job and provide for themselves and their families some day, to provide a good life, better than the one they have inherited from their parents. That is what this is about.

We have heard—and I know my colleagues have heard—from thousands of

scientists from all over the country who give us their advice. What are they telling us? Among the things they are telling us is that the Earth is growing warmer. They are telling us that we are part of the cause. They are telling us to do something about it. They are saying to us if we won't do something about it, at least let EPA do the job they have been told by the Supreme Court they have to do under the Clean Air Act. Among the things they have had to do under the Clean Air Act is to provide for ratcheting up the fuel efficiency of cars, trucks, and vans up to about 34 miles per gallon by 2016. The effect of doing that will take something like 50 million cars, trucks, and vans off the road by 2030. That is the kind of thing EPA needs to do, if we will let them.

Who are the scientists we are hearing from? I don't know them all. We have heard from a couple thousand. I know a couple of them well. Their names are Lonnie and Ellen Thompson, professors at Ohio State University, my undergraduate alma mater. They spent a lot of the last 20, 25 years running the polar research center at Ohio State. They have also spent a lot of the last 25 years going around the world climbing up some of the tallest mountains, a lot of them along the equator, where the snow caps give them the opportunity to take ice core samples. Those snow caps over time have actually begun to largely disappear. The ice core samples they still have frozen on the campus at Ohio State give us an opportunity to go back in time and, as we go back in time, to look back as much as a million years. What do we see then? We see over that million years different levels of carbon in the air. Sometimes it is high, sometimes it is low. They have correlated—the Drs. Thompson; I call them the Thompson twins—the increases in carbon with increases in temperature over time and the decreases in carbon with the decreases in temperature. They are correlated. They are positively correlated. Drs. Thompson say we ought to do something about it. We ought to act on that science.

I believe they are absolutely right. We have also heard from scientists that the 10 hottest years in all the years we have been around as a country keeping records are the last 20 years. In an effort to compel the government to take action, all kinds of campaigns have been launched. I heard one from Senator FEINSTEIN talking about drought, fertile farmland turning into desert. Polar bears don't have ice to float on. We see endangered species disappear. Movies are made about extreme weather that is going to flow out of climate change. I am going to leave it to others to pursue those particular agendas or examples. I want to focus on a couple I am more familiar with. One is Delaware, where I live. The other is Florida, where my parents lived for the last 30 years of their lives.

This is Delaware, outlined here in black. If the melting that is going on in Greenland and the west Antarctic ice sheets continues, if it continues over the next 100 years or more, this will no longer be Delaware. The green area right here will be Delaware. People won't go to Rehoboth Beach anymore or Bethany or Dewey Beach. They will be looking for a beach up here in Dover. They won't be going go to NASCAR races in Dover. They will be going to a sailboat regatta in Dover. Ocean View, which doesn't have an ocean view, will be under the ocean.

Let's take a look at Florida with about a 1-meter rise in sea level. My parents lived in Clearwater just around here in St. Petersburg and Tampa. The place where they used to live will be largely under water. They lived about a half mile from the gulf. It will be pretty much under water. Look at south Florida, go to South Beach. When we have 1 meter of sea rise, we won't find it. It will be under water. What happens with 6 meters of sea rise? The red part is the parts of Florida that are basically under water. Most of the people who live in Florida live in the parts in red. Where are they going to live? I guess they can come inland a little bit, but they won't be living in the area that turns red because they would otherwise be under water.

There is a saying that all politics is local. That has been true for a long time, and it is still true. The highest point of land in Delaware is a bridge. When we get a couple feet of sea level rise, the outline of our State changes dramatically. The quality of life in a State that is under water changes dramatically as well. The same is true of Florida and a bunch of other coastal States.

What do we need to do? We need to unleash market forces, put millions of people to work building new nuclear powerplants, finding ways to take carbon dioxide coming out of coal-fired plants, turning it into a concrete aggregate to build roads, bridges, finding ways to take the CO_2 coming off coal-fired plants and turning it into biofuels. We need to deploy off of our shores windmill farms. We need to deploy windmill farms from North Carolina all the way up to Maine. We need to take that electricity we are generating from the wind and use that to power vehicles such as the Chevrolet Volt that will be launched this fall or the Fisker Karma cars of Project Nina that are going to be launched in a year or so, built in Delaware. They get 100 miles per gallon. We need to make sure that the cars, trucks, and vans that GM and Chrysler are prepared to build, 44 miles per gallon, that when they build them, somebody will be there to buy them.

Let me conclude with the words of a friend of Senator BOXER, an eminent climatologist named Stephen Stills. He wrote a great song that says: ''Something's happening here; what it is ain't exactly clear.''

It is clear to me. Our planet is getting warmer. It is clear to me the great challenges that poses for all of us. But inherent in those challenges are great opportunities. The thing we have to do is seize those opportunities, to seize the day.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I yield 5 minutes to Senator MENENDEZ, followed by 5 minutes to Senator CARDIN.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I thank the distinguished chairman for yielding. I come to the floor in strong opposition to the Murkowski resolution because it means we will needlessly use more oil. That is why the oil industry supports this resolution, because this resolution would increase demand for their products. In turn that is why so many of my Republican friends support this resolution, because whenever big oil wants something, it seems they line up to support it. When the Republicans were in charge of MMS, they stripped the government's ability to regulate oil drilling. Anyone who has turned on the news in the last 52 days can see exactly what the policy of allowing industry to police itself has gotten us. Now they want to go further and strip the government's ability to reduce our oil consumption and regulate pollution. This is simply a wrongheaded approach at the wrong time.

This is not the time to increase oil consumption by more than 450 million barrels, which this resolution would ultimately do. This is not the time to prop up big oil, make ourselves less energy secure, and put our coastlines in further peril.

The events unfolding in the gulf have vividly shown us we should not be doubling down on 19th-century dirty fuels but, instead, moving to clean technologies of the 21st century that will reinvigorate our economy, allow our businesses to compete internationally, improve our energy security, and preserve the environment.

The resolution is regressive on its face. For my home State of New Jersey, it would increase dependence on oil by more than 14 million barrels in 2016 and cost New Jerseyans an additional $39 million at the gas pump in 2016.

The Federal Government gives big oil tax breaks. It gives big oil subsidies. The government even gives big oil, so far, a cap on damages stemming from oilspills. The resolution is just one more windfall for big oil at the expense of American taxpayers.

So the choice is clear: We can keep protecting big oil from regulation or we can do what reason, common sense, and good governance dictate. In light of the facts—in light of the need to reduce pollution; in light of the need to move toward new, smarter, greener energy for the future; in light of what we are seeing happen every day in the gulf—over the last 52 days—in light of the fact that this resolution would cost

consumers as much as $47 billion in additional fuels costs, I hope the Senate soundly defeats the Murkowski resolution.

This is a choice between polluting our environment—and stopping the government from ensuring we do not pollute our environment—and moving toward a cleaner, greener future. This is a choice between a quality of life that ultimately reduces respiratory ailments and cancer versus one that continues to perpetuate it. The choice could not be clearer. I certainly hope my colleagues will ultimately vote for a choice that is greener, that has a future of promise and hope and opportunity, not one that continues to help big oil at the expense of the American taxpayer.

With that, I yield back any time I may have to the chair.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, as the world is looking at the worst oilspill in America's history—it may yet become the worst oilspill ever—everyone is saying: Well, what are we going to do about this? What is our response? Our response needs to be, first, to stop the oil from spilling into the Gulf of Mexico; second, to make sure we clean up this mess and hold BP and its related companies fully responsible for all damages, whether to the businesses that have been put out of business, literally, by what has happened in the Gulf of Mexico or the property owners or the taxpayers. BP has to be held fully accountable.

They are looking forward to us making sure that future drilling in this country is done in a safe way; that we have a regulatory system in place that protects the public, that is independent, and that will protect environmentally sensitive areas where there is currently no drilling, such as the Mid-Atlantic, from any drilling. But they are also looking for us to have an energy policy—an energy policy that makes sense for America; that we invest in alternative and renewable energy sources; that we conserve energy; and that, yes, we manage our mineral resources as best we can and use less oil.

Well, the Murkowski resolution does just the opposite. It is very strange, the timing of this resolution, that we are taking up what would prevent the EPA regulations and would require us to use more oil rather than less oil. That makes no sense at all. It stops dead in its tracks efforts to cut the oil consumption of cars and trucks sold in America. You may ask why this resolution is being considered. Well, it is clearly supported by big oil. But whose side are we on? Are we on the side of the American consumers or on the side of big oil?

On April 1, the Environmental Protection Agency and the Department of Transportation completed standards to decrease the oil consumption in model years 2012 through 2016 cars and light trucks sold in the United States. Those standards will result in vehicles that will use almost 2 billion barrels less than current models. That is what we should be doing: using less oil. That needs to be part of our future.

On May 21, President Obama directed EPA and DOT to follow up over the next 2 years with standards for trucks and buses starting with model year 2014 and for cars and light trucks starting with model year 2017. Those follow-on standards will further reduce U.S. oil consumption by billions of barrels.

But the Murkowski resolution would compel EPA to rescind its portion of the completed standard and prevent the Agency from taking part in the follow-on ones—in other words, stopping us from improving the efficiency of our fleets, causing us to use more oil.

Not surprisingly, big oil is trying to disguise their resolution as something other than what it is. They claim it is necessary to prevent EPA from regulating the greenhouse gas emissions of small businesses and even homes and farms. Nothing could be further from the truth. As every Senator knows, EPA has already issued a final rule to shield small businesses, to shield homes, to shield farms, and to shield all other small sources from regulation for at least the next 6 years. Six years is more than enough time to pass a law making the exemption for small sources permanent.

The resolution of disapproval has just one certain outcome: that America's dangerous dependence on oil will continue. We cannot allow this resolution to be approved. It would eliminate the legal foundation of the EPA oil-savings standards that are essential to breaking our addiction to oil.

It is time to decide whose side you are on. I choose the side of the American consumer, and I ask my colleagues to stand with me and reject the Murkowski resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Madam President, I ask that the time in this block be allocated as follows: Senator BOND, 6 minutes; Senator COLLINS, 7 minutes; Senator ENZI, 6 minutes; Senator CHAMBLISS, 6 minutes; Senator BROWNBACK, 5 minutes.

Mrs. BOXER. Madam President, I have a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Do we have 2 unused minutes?

The PRESIDING OFFICER. The Senator is correct.

Mrs. BOXER. I would ask if we could carry that time to the next segment, please.

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

The Senator from Missouri.

Mr. BOND. Madam President, I rise in support of the Murkowski EPA disapproval resolution. We must prevent the U.S. Environmental Protection Agency from imposing a backdoor energy tax on suffering families and workers. This is our chance to stand with American families and workers and stand against unelected bureaucrats at EPA trying to expand government's reach.

Missouri families and workers do not want the higher energy costs and lost jobs that would come from allowing EPA's big government carbon regulations to go forward. Missouri manufacturing workers, like those in States across the Midwest, are dependent on affordable energy. Missouri workers would suffer terribly when EPA's carbon regulations drive up the cost of their energy and raw materials. Allowing the regulations to go forward would allow India, China, and other counties to take those energy-intensive jobs away from American workers. Missouri families, like those in States across the Midwest, are struggling to pay their power, heating, and cooling bills. Missouri families would suffer even more when EPA carbon regulations drive up the cost of their electricity, gas, and gasoline bills. Allowing EPA carbon regulations to go forward would punish Missouri families with higher energy prices.

Like all families and workers in the Midwest, Missourians wonder why we would allow EPA to impose this punishing pain for no environmental benefits. Let me make it clear: For those who want to talk about what this vote means for the science of global emissions, EPA itself admits that unilateral U.S. actions, without China and India, which have clearly indicated they will not take action, will have no measurable impact on world temperatures. So if you actually believe the climate science and want world temperatures to stop rising, these EPA regulations will do nothing to address your concerns. You are basically telling us you want to impose trillions of dollars in costs, hundreds of billions of dollars in new taxes, and hundreds of billions of dollars in new government spending for no environmental gain.

Some also try to hide behind the auto deal between EPA, the State of California, and automakers. We should not punish Midwestern families and workers with a new energy tax in order to uphold some backroom deal between EPA, the automakers, and the State of California.

Even so, these EPA regulations are totally unnecessary for those who care about reducing carbon emissions from vehicles. Let me be clear: Congress has already authorized the Department of Transportation to impose new, stricter auto emissions standards, and the Obama administration announced recently they were going to do so.

So, again, opponents want to punish American families and workers with job-killing energy taxes for no net environmental gain.

Some also say this issue is linked to the gulf oilspill and we should respond by allowing EPA's new backdoor energy taxes. For the life of me, I do not

see how imposing a new national energy tax is the right response to the gulf oilspill. It will not stop the oil from flowing, it will not mitigate the environmental damage, and it will not compensate the workers and others for lost wages and revenue. We should be punishing British Petroleum, not the American people with new taxes. And do not be misled about the empty rhetoric against big oil. Big oil just passes along the cost of these taxes to us in higher prices for the gas and oil we must buy and we must use.

But some, as they say, never want to let a crisis go to waste. Unfortunately, many of my Democratic colleagues seek any opportunity to expand the reach of government and impose new taxes. They admit it, too, although they use fancy ways to say it. This week, President Obama repeated his call for ''putting a price'' on carbon. These are code words for imposing a carbon tax.

We also need to stop and think about what the majority leader has said. He and others have said that if EPA is allowed to move forward with their carbon regulations, it will cut oil usage. The reason is because this new energy tax will punish American consumers with so much pain at the pump, they will use less gasoline because they cannot afford it. It is like saying we need another recession because in a recession people drive less. We want recessions? That is hardly the way to make the economy thrive and make the progress we need.

We must stop this policy of pain. We must stop EPA from moving forward with job-killing, energy cost-raising regulation. The choice is stark: Stand with EPA bureaucrats imposing a backdoor tax or stand with American families and workers. I urge my colleagues to stand with American families and workers and support the Murkowski amendment.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I rise to speak in support of the resolution offered by the Senator from Alaska disapproving a rule submitted by the Environmental Protection Agency concerning the regulation of greenhouse gas emissions under the Clean Air Act.

Our country must develop reasonable policies to spur the creation of green energy jobs, lessen our dangerous dependence on foreign oil, and reduce greenhouse gas emissions. We face an international race to lead the world in alternative energy technologies, and we can win that race if Congress enacts legislation to put a price on carbon and thus encourage investment here in the United States.

I have, however, serious concerns about unelected government officials at the EPA taking on this complicated issue instead of Congress. It is Congress that should establish the framework for regulation of greenhouse gas emissions. And it surely is significant that the House-passed climate bill, as well as the Kerry-Lieberman bill, recognized that fact by preempting some of the EPA's rules in this area.

The Agency's early rules on this topic give me cause for concern. They could affect some 34 businesses in my State that employ nearly 8,800 people. Incredibly, the EPA proposes to ignore the carbon neutrality of biomass and would place onerous permitting requirements on businesses, such as Maine's biomass plants and paper mills, which use biomass to provide energy for their operations. This reverses years of EPA considering biomass as carbon-neutral.

EPA's decisions could well result in the loss of jobs, leading to mill and plant closures and discouraging employers from investing. We simply cannot afford that result, particularly not in this tough economic climate. The EPA's apparent stunning reversal in its view of biomass potentially would affect 14 biomass facilities in Maine in small rural towns such as Ashland, Fort Fairfield, and Livermore Falls.

A better way forward is for Congress to finally tackle this issue and pass comprehensive clean energy legislation. In December, I joined with my colleague, Senator MARIA CANTWELL, in introducing the bipartisan Carbon Limits and Energy for American Renewal Act, what we call the CLEAR Act. Our legislation would set up a mechanism for selling ''carbon shares'' to the few thousand fossil fuel producers and importers through monthly auctions. Under our bill, 75 percent of the auction's revenues would be returned directly to every citizen of the United States through rebate checks. The average family of four in Maine would stand to gain almost $400 each year. Our bill represents the right approach, a much more thoughtful approach than EPA's, and it would spur the development of green energy and the creation of green energy jobs.

I look forward to working with my colleagues to advance the practical concepts that are embodied in the CLEAR Act.

Let me be clear because there are diverse views on this issue in this Chamber. I believe global climate change and the development of alternatives to fossil fuels are significant and urgent priorities for our country. We must meet these economic and environmental challenges. The scientific evidence demonstrates the human contribution to climate change, and we must act to mitigate that impact. But we must proceed with care, and we should not allow the Federal EPA to charge ahead on a problem that affects every aspect of our already fragile economy. The preliminary steps the EPA has taken, including its decision to revisit the carbon neutrality of biomass, undermine my confidence in having the EPA proceed. It is Congress's job, not the EPA's, to decide how best to regulate greenhouse gas emissions.

So for this reason, I will vote for the Murkowski resolution.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, I rise in support of Senator MURKOWSKI's resolution that would ensure this Congress keeps its responsibility to establish our Nation's environmental regulations. The Environmental Protection Agency's move to regulate carbon dioxide under the Clean Air Act is an economic and bureaucratic nightmare in the making that is going to have a devastating effect on our economy and put a regulatory stranglehold on businesses and individuals across the country.

The Congressional Review Act was passed in 1996 to make sure Congress could step in when Federal agencies got off track. It was a bipartisan bill because Senators and Representatives recognized we should not hand off our responsibility for setting Federal policy to Federal agencies. So when Federal agencies get off track, we have a way to bring them back to reality. We need to bring the EPA back to reality on the catastrophe that regulating greenhouse gases under the Clean Air Act would create because if we don't, it will be consumers and businesses—both small business and big business in every sector of our economy—that will end up paying more than they can afford for these regulations.

The consequences of allowing the EPA to regulate carbon dioxide under the Clean Air Act are tremendous. The EPA's rule that will go into effect if Senator MURKOWSKI's resolution is not adopted would not just apply to big powerplants or industrial factories. More than 6 million businesses and residences will come under these new regulations at a cost of billions of dollars to our economy. The EPA is going to regulate small business and family farms, and those who can't afford to comply will go out of business. They will regulate office buildings and warehouses, and if you rent space in an office building or store your inventory in a warehouse, your costs will rise. Grocery stores, restaurants, hotels, residential buildings, and even individual homes will face complicated and expensive regulations.

It is not just Members on my side of the aisle who believe the EPA is taking a disastrous approach. The White House and members of the President's party have said EPA's move to impose ''command and control'' regulation on greenhouse gases would be a step in the wrong direction.

Where would the regulations stop? No one knows for sure. Cattle produce a lot of carbon dioxide and methane, so it is hard to imagine how the agricultural industry would not be impacted. What about people? In a big city, people are breathing out carbon dioxide all day long. Could that be subject to regulation under the Clean Air Act? Could breathing become a fineable violation or would there be a new tax as breathing isn't an option?

There will be many unintended consequences if the EPA is allowed to move forward, and we have a chance to stop that from happening today by supporting Senator MURKOWSKI's resolution disapproving the EPA's action.

Our economy has lost 8 million jobs over the past 2 years, and unemployment is still almost 10 percent. Businesses that had to lay people off are still hurting. The last thing our economy needs and the last thing businesses can afford is an EPA choke hold. According to the EPA, the average cost of compliance for stationary sources that would be regulated is more than $125,000. That is an average cost. Some will be less, but many will be more than $125,000. It is just an average. That is $125,000 that could be used to hire new employees. It is $125,000 that will not be spent on business expansion. Right now, with our economy struggling, we need to be working to encourage businesses to hire more employees and to grow, but unless we stop the EPA's overreach, businesses across this country will be facing the harshest and most expensive regulations they have ever seen.

Some people have suggested that EPA's decision to move forward with greenhouse gas regulation will pressure Congress into implementing a cap-and-tax proposal. They say: We don't want EPA to regulate, but we have to keep pressure on Congress or Congress would not act. I don't buy that argument because, as the old saying goes, ''two wrongs don't make a right.''

Senators are faced with a choice. If it is wrong for the EPA to regulate, they should stop it from happening, and supporting Senator MURKOWSKI's resolution is the clearest way to do it. My colleagues who oppose this resolution are voting in favor of EPA action. They are voting to allow the EPA to set up complex regulations that will strangle our economy, kill economic recovery, and further squeeze consumers and businesses across the country. It is the start of a slippery slope. How much control will the EPA reach for after this if it isn't stopped now?

The Clean Air Act is not the EPA's regulatory Swiss Army knife.

Even EPA Administrator Lisa Jackson has said that the Clean Air Act was not written to apply to greenhouse gases. Greenhouse gas is not one of the six categories of pollutants that the Clean Air Act covers and the list of 188 specific pollutants that are regulated under the Clean Air Act does not include carbon dioxide or methane. Even if Congress did decide that carbon dioxide and other greenhouse gases should be regulated, the Clean Air Act would be the wrong tool for the job. Greenhouse gases come from large and small sources, from major manufacturers and industrial plants and from community hospitals and small-town businesses. And yes, they come from animals, and yes, from people breathing in and out. Applying the Clean Air Act across the board to sources that emit a small amount of carbon dioxide—as the law requires—would be clumsy and harmful, and ultimately do tremendous economic harm to America's businesses and consumers.

The Congressional Review Act was passed so that Congress could step in and prevent federal agencies like the EPA from implementing rules or regulations that don't make sense. I hope my colleagues will recognize the tremendous harm that allowing the EPA to regulate greenhouse gases under the Clean Air Act would do to our economy. While there are many disagreements about climate change legislation, we should all be able to recognize that the course the EPA is on now is the worst of all worlds. Their approach would stymie our chances of recovering from the recession and stifle economic development for businesses and consumers who are already struggling to make ends meet.

Is there no end to the administration's approach of believing that any situation can be saved with more red-tape, more regulations, and more fines? Is there any end to the power grabs of this administration, which has thrown every obstacle it can think of in the path of our small businesses? Supporting the Murkowski resolution would check the EPA and give our small businesses that make up the most important part of our economy a fighting chance.

This is the last chance to stop the EPA's carbon overreach and the slippery slope that will ensue if we allow them to move forward with these harmful regulations. Please vote yes on the motion to proceed and yes on the motion for disapproval.

I yield the floor.

The PRESIDING OFFICER (Mr. BURRIS). The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I rise today in support of S.J. Res. 26, the resolution disapproving a rule submitted by the Environmental Protection Agency, EPA, relating to the endangerment for greenhouse gases under the Clean Air Act.

Today's debate and this resolution are about whether this Congress will allow an executive branch agency—EPA—to unleash a regulatory onslaught that within a few years will capture homes, small businesses, farms, hospitals, and apartment buildings in an expensive, intrusive, and bureaucratic regulatory program. The consideration of this resolution is about preserving the traditional and constitutional role of Congress as the elected representatives of the citizens of this country to make necessary and proper laws for the Nation.

Congress is the appropriate branch of the Federal Government to debate and design a climate change policy. Many have complained that the Senate is taking too long to do this, but that doesn't mean EPA should go ahead and regulate on its own. It is also highly cynical for administration officials to suggest that the specter of EPA regulations should force Congress to act. I don't appreciate the implied threat that if Congress doesn't go along with EPA then the agency will impose costly regulations.

Many argue that passage of the resolution would prevent increases in the vehicle fuel economy and undo the ''historic'' agreement among the Federal Government, several states, labor unions, and the auto industry. It doesn't. The National Highway Traffic Safety Administration—NHTSA—has had authority to regulate and increase Corporate Average Fuel Economy—CAFE—standards for more than 30 years. In fact, Congress directed the agency to increase the standards to at least 35 miles per gallon by 2020 in the 2007 Energy Independence and Security Act. And these new standards will reduce greenhouse gas emissions. EPA's activities on fuel economy through its so-called tailpipe rule are unnecessary to achieve the desired results, given the authorities already held by NHTSA.

Many also argue that passage of the resolution is contrary to the science of climate change. A letter generated by the Union of Concerned Scientists claims the resolution ''ignores'' the scientific findings of EPA and the Intergovernmental Panel on Climate Change, and that the resolution is an ''attack'' on the Clean Air Act. They must not have read the resolution as even a cursory review of it will dispel this notion.

The resolution states, ''That Congress disapproves the rule submitted by the Environmental Protection Agency relating to the endangerment finding . . . and such rule shall have no force or effect.'' This means the agency cannot use the Clean Air Act to control greenhouse gas emissions. This does not speak to the issue of whether climate change is happening or what is causing it. Those who claim the resolution ignores science appear to be avoiding the debate over the economic consequences and legal validity of EPA's approach. I also believe that they are attempting an end-run around a skeptical Congress. I am sorry, but that is not how the American system of government works.

I know the climate in changing. In 2006, I visited Greenland. I toured the Kangia Ice Fjord and took a boat tour of Disko Bay to view the world's largest glaciers and icebergs floating in the bay. These glaciers were formed more than 1,000 years ago. I saw the glaciers melting and the remains of a 4,000-year-old village. Obviously, it was warm enough in the past for humans to live and thrive in that part of the world, even though in recent memory we only think of Greenland as covered in ice. I talked to the scientists who have studied Greenland's glaciers for decades. They told me that while the climate is changing they don't know with any certainty if the changes are natural or caused by human activity or a combination of the two. I found it interesting that while some glaciers are

melting, some are increasing in size. We just don't see what is happening on the back side.

The President and the Administrator of EPA, Lisa Jackson, have said their preference is for Congress to act. They know the Clean Air Act was not designed for controlling greenhouse gases. Yet they are swiftly moving ahead. Last week, EPA issued a final rule for regulating greenhouse gas emissions from stationary sources under the Clean Air Act's permitting programs. The so-called tailoring rule is the fourth significant action taken by the administration to regulate greenhouse gas emissions.

The first major action was EPA's determination—the Endangerment Finding—that greenhouse gas emissions from cars and light-duty trucks endanger human health and welfare. On April 1, 2010, EPA finalized the light duty vehicle rule controlling greenhouse gas emissions. Under the Clean Air Act, when a pollutant becomes subject to regulation by one provision of the Act, it then becomes subject to regulation under other provisions. Hence, greenhouse gas emissions are now subject to regulation under the Prevention of Significant Deterioration—PSD—and title V operating permit programs. It is only a matter of time before greenhouse gases are subject to other provisions in the law, such as national ambient air quality standards.

Under current law, the title V program permitting requirements are triggered when a facility releases 100 tons per year of a regulated pollutant. For the PSD program, the threshold is 250 tons per year. In the final rule, EPA ''tailors'' the application of the programs to significantly higher threshold levels. Without the tailoring rule, EPA estimates that about 6 million sources, including 37,000 farms and 3.9 million single family homes, will be required to obtain Clean Air Act permits.

EPA's own documents call the tailoring rule a commonsense approach to addressing greenhouse gas emissions from stationary sources under the Clean Air Act permitting programs. But I don't follow the agency's logic. The rule states emissions from small farms, restaurants, and all but the very largest commercial facilities will not be covered by these programs at this time. The rule establishes a schedule that will initially focus the permitting programs on the largest sources and without this tailoring rule the lower emissions thresholds would take effect automatically for greenhouse gases on January 2, 2011.

The agency, in its proposed rule, recognized the inherent problems with using the Clean Air Act. The proposed rule states, ''This extraordinary increase in the scope of the permitting programs coupled with the resulting burdens on the small sources and on the permitting authorities was not contemplated by Congress in enacting the PSD and Title V programs.'' It further states that, ''The new rules would apply Title V to millions of sources Congress did not intend to be covered and would impede the issuance of permits to the thousands of sources that Congress did intend to be covered.''

It is cold comfort that the smallest sources will not be regulated until 2016. We have a rule now that says it is not if but when hospitals, farms, small businesses, and apartment buildings can expect to have to apply for a clean air permit. We can only imagine what will happen to the economy if EPA is successful and its plans to fully regulate greenhouse gas emissions under all of the authorities of the Clean Air Act come to fruition.

One of the most troubling aspects about the tailoring rule and EPA's approach to its suite of greenhouse gas regulations is that there is no economic analysis. The agency hasn't even attempted to quantify the economic costs and regulatory burdens it will impose on American businesses and consumers. We have no idea what it will mean for jobs, economic growth or small businesses. Even though we can't quantify it or point to a document, it is not hard to imagine the significant costs it will impose.

While EPA isn't worried about this, States, businesses, unions, and individuals are. For example, in March, 20 Governors, including Governor Sunny Purdue of Georgia, wrote House and Senate leadership expressing grave concern about EPA's efforts to impose greenhouse gas regulations. They believe EPA's actions will place heavy administrative burdens on State environmental quality agencies just as States are expected to face their worst financial situations over the next 2 years. The Governors also are concerned that the regulations will be costly to consumers and could be devastating to the economy and jobs. The Governors believe that complex energy and environmental policy initiatives should be developed by elected representatives at the State and national level but not by a single Federal agency.

While Georgia believes the final rule is an improvement over the proposed one, there are still significant concerns. Most notably is its legal vulnerability. I quote from the Georgia Department of Natural Resources, Environmental Protection Division, Air Protection Branch comments on the proposed rule:

> The GHG Tailoring Rule appears to be legally vulnerable and may not provide intended relief from the statutory permitting thresholds for PSD and Title V. If the Tailoring Rule is vacated, the workload for permitting authorities will increase exponentially at a time when State and Local governments are experiencing severe budgetary challenges due to the current economic climate. Vacatur of the GHG Tailoring Rule seems to be a very real possibility.

The letter further states:

> We also believe that EPA has failed to take into account the length of time that it will take for permitting authorities . . . to go through rulemaking, . . . hiring, and training in order to implement the mandate of regulating GHG emissions under the Title V and PSD permitting programs. In Georgia, rulemaking will be required in order to insert the new GHG emission thresholds. Rulemaking will also be required in order to increase Title V fees consistent with the Clean Air Act requirement that permitting programs collect enough revenue to implement the program requirements. Given the current state of the economic situation in our state and country, this issue should not be taken lightly. Then, permitting authorities must hire and train staff to issue these complicated permits. This could take up to two years after the requirement is triggered. Raising the regulatory threshold will not abate the predicted permitting backlog if additional permitting personnel are not in place at the time the additional workload occurs.

EPA is moving ahead despite these concerns and the economic consequences of its plans. They will increase energy prices, add to administrative costs for companies, decrease job creation, and create a large new government bureaucracy, which will endanger economic recovery and limit future growth. While the final rule with its phased-in implementation is a small step in the right direction, the Clean Air Act continues to be the wrong tool for the job, and EPA's timeline and its shaky legal foundation will continue to create significant uncertainty for the State permitting agencies and businesses community.

At this time, there is no other option to stop EPA from moving ahead. Some of our colleagues have introduced measures to provide for a time out; others are looking at ways to codify the tailoring rule and provide permanent exemptions for small businesses. However, there are no plans for the Senate to consider these measures. If there were another option, I would be open to it.

The Congressional Review Act was designed for the purpose of reviewing agency actions. The majority leader understands this and recognizes that, ''overburdensome and unnecessary federal regulation can choke the life out of small businesses by imposing costly and often-ineffectual remedies to problems that may not exist.'' No description could be more accurate about EPA's greenhouse gas regulatory plans.

Some argue that it would be a dangerous precedent for Congress to stop EPA's endangerment finding. However, it is far more dangerous for the Nation if Congress allows an agency to impose these regulations under a law that was not designed for the purpose. By issuing the tailoring rule, the administration has again reminded us that if Congress won't legislate, EPA will regulate. I believe my colleague from Alaska was correct when she called this a highly coercive strategy. I am appalled by the actions of EPA.

There is a reason why the U.S. Senate hasn't acted on a cap and trade bill. This is because analyses of these bills shows they cause significant economic harm—job losses, higher energy prices, higher gas taxes, less economic growth.

It makes no sense for Congress to pass job-killing legislation in order to stave off costly regulation.

The House and Senate cap and trade bills are truly bad for agriculture. They would dramatically increase energy and other input costs and, according to EPA, would cause the shift of 59 million acres out of production into trees. With a growing world population to feed, our farmers and ranchers will need to produce more food in the future, not less. If enacted as written today, cap and trade legislation would only push agriculture production overseas, raising many of the same concerns that have been expressed about the loss of manufacturing jobs.

Rather than driving American agriculture offshore, a more sensible approach would be to increase food, fuel, and fiber production right here at home. In this Nation, we have an abundant natural resource base, an economy built on open and transparent markets, and sufficient protections for consumers and the environment.

Last fall, Texas A&M University released a study on the House cap and trade bill. I mention it again today because it is most instructive of what we can expect to see in the agricultural sector under a cap and trade regime.

Texas A&M University used its representative farm database to study the effects of the House bill at the farmgate level. This database was developed to help Congress better understand the effects of legislation at the individual producer level. The study shows that 71 out of 98 farms in the database will be worse off under the House bill. The 27 farms that benefit do so because other producers go out of business they benefit because there are fewer acres in production, thus crop prices rise.

Some producers will see increased revenue from an offset program, but it is not a significant factor in the profitability of farms in the analysis. The study also dramatically shows the regional disparities of the House bill. Only some cornbelt farmers benefit. It's hard to imagine that members of the Senate Agriculture Committee will be able to endorse a policy that disproportionally favors certain commodities, few producers and one part of the country at the expense of others.

In January, 150 agriculture organizations sent a letter to my colleague from Alaska supporting the introduction of the resolution. These groups wrote that, ''Such regulatory actions will carry severe consequences for the U.S. economy, including America's farmers and ranchers, through increased input costs and international market disparities.'' They also believe that, ''EPA's finding puts the agricultural economy at grave risk based on allegations of a weak, indirect link to public health and welfare and despite the lack of any environmental benefit.''

On May 18, I received another letter from 49 different agriculture groups. They state:

> Without relief from Congress, we fully expect the application of these programs to have severe economic impacts on agriculture. Not only will producers likely incur increased costs as a result of the regulatory impacts on other economic sectors, but agricultural producers will eventually be directly regulated. The final EPA tailoring rule estimates the average cost for these permits is $23,200 per permit. For the 37,000 farms identified by EPA as likely to require permits this would cost them more than $866 million just to obtain the permit.

In contrast to the campaign slogans and feel-good messages of hope and change for farmers, ranchers and rural America, this administration is causing great pain through its actions, especially its economic policies and far-reaching regulatory programs and goals. The endangerment finding and related regulations are only one set—albeit a very significant set—of regulatory actions facing producers and rural America. By themselves, these will impose higher energy costs on rural residents and businesses. Higher costs in rural areas mean fewer jobs and opportunities for those who live there.

Another immense expansion of Federal regulatory authority that will have severe consequences for producers and rural landowners is the administration's support for legislation to grant EPA and the U.S. Corps of Engineers—Corps—nearly unlimited regulatory control over all ''intrastate waters,'' including all wet areas within a State, such as groundwater, ditches, pipes, streets, gutters, and desert features. The administration supports giving EPA and the Corps unrestricted authority to regulate all private and public activities that may affect intrastate waters, regardless of whether the activity is occurring in or may impact water at all. Unbelievably, the administration supports eliminating the existing regulatory limitations that allow commonsense uses such as those allowed with a prior converted cropland designation. I strongly oppose this effort to expand EPA's and the Corps' regulatory control. I do not believe the Federal Government should regulate all wet areas within a State.

The administration also is attempting to circumvent one of the most highly regarded environmental statutes—the Federal Insecticide, Fungicide and Rodenticide Act, that governs the licensing and use of pesticides. This is a well-crafted law that balances the risks and benefits of pesticide use. EPA has an excellent staff of scientists and experts working in this area. However, the agency's political leadership is trying to implement by regulatory fiat a precautionary approach, which is contradictory to current law.

For example, last fall, EPA proposed to add language to pesticide product labels that will forbid pesticide applications that result in drift that could cause harm or adverse effects. For many years, EPA and state pesticide regulators recognized that a small amount of drift inevitably will occur, and that when pesticides are applied according to their label instructions, this small amount of drift does not cause an unreasonable adverse effect. If an unreasonable adverse effect is likely to be caused by a certain use of a pesticide, FIFRA requires, and Congress expects, the label to reflect that information and appropriate mitigation be required.

In April, I wrote to EPA, along with the chairman of the Senate Agriculture Committee and other colleagues, about the need for greater clarity in pesticide drift policy and noted that such clarity would benefit the agency, pesticide users and State regulatory agencies. However, we noted that the proposal set forth vague standards and would not have clarified pesticide drift policy. It also exceeded the authority granted to the agency by FIFRA. We asked the proposed policy to be reconsidered. I am pleased to note that recently EPA made the right decision to do so.

One other issue I raise reflects the administration's willingness to cast aside rational, science-based policy when given the opportunity to impose additional regulation. In January 2009, the Sixth Circuit Court of Appeals issued an opinion in National Cotton Council v. U.S. Environmental Protection Agency that would require pesticide applications to be permitted under the Clean Water Act's National Pollutant Discharge Elimination System—NPDES. The permit would be in addition to any label requirements or restrictions already placed on the use of the pesticide under FIFRA.

Unfortunately, the administration refused to appeal the decision even though it admitted in a filing with the U.S. Supreme Court this year that the Sixth Circuit Court reached the wrong decision. Pesticides are not pollutants under the Clean Water Act and have never been. Instead, EPA, for political reasons, has been working to develop a NPDES general permit for discharges from the application of pesticides. EPA released the draft permit last week for public comment and will issue a final permit in December 2010. Pesticides applications must be covered by a permit by April 9, 2011. Is your State ready to issue these permits? Are your producers and applicators ready to apply for them?

This has been a particular concern for State and public health officials as it has the potential to seriously affect their ability to control mosquitoes, especially those carrying the West Nile Virus. According to the Centers for Disease Control and Prevention, there were 720 cases, including 32 deaths, attributed to the virus in 2009. This is better than 2008, in which there were 1,370 cases, including 37 deaths. In 2009, two of those deaths were in my home State of Georgia.

Talk about overburdensome, unnecessary regulation! Requiring producers, pest control agencies and other users to obtain NPDES permits will do nothing to enhance the environment. It

only doubles the number of permitted entities and creates new requirements for monitoring, surveillance, planning, recordkeeping, and reporting that only will create significant delays, costs, reporting burdens and legal risks from citizen suits. These permits will provide absolutely benefit only cost.

All issues regarding water and pesticides are addressed by EPA as part of the pesticide registration process. If there are concerns, mitigation is required. We are fortunate we have a strong law that requires rigorous science and careful balancing of risks and benefits.

The Endangerment Finding and related rules, along with the other environmental regulations planned by the administration will hurt the productivity of American farmers and ranchers and make the future for U.S. agriculture far less bright than it should be. These actions are basically a backdoor tax on every American family and business by unelected bureaucrats. Federal regulation is not the key to success or jobs in rural areas or in any other part of this Nation.

Some claim that EPA's actions should scare Congress into passing a cap and trade bill, but I disagree. Congress should not be bullied into passing bad legislation and neither should it stand for an agency that is vastly overreaching. The choice is clear to me—do Senators want EPA to impose a regulatory regime that it has tenuous authority to create or do you want Congress to make the laws of the land? If you believe Congress should develop laws and set policy, then vote in support of the resolution. I strongly oppose EPA's actions and plan to vote yes on the Murkowski resolution.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BROWNBACK. Mr. President, I thank my colleagues for this discussion we are having. I was here when the Congressional Review Act was put into place for the very purpose it is being used for, which is when we have a Federal agency that overreaches and seeks to put in place a regulation that will cost tens of billions of dollars, without any legislative action taking place, the Congress should step in. That is what the Congress is seeking to do with this—step in on something that has enormous economic consequences, enormous costs across society, and yet has not been voted on by this legislative body.

Clearly, if we are going to do something of this nature, it should pass the Senate. It should come up in front of this body.

Toward that end, I tell my colleagues we have a bipartisan energy bill that passed through the Senate Energy and Natural Resources Committee, the American Clean Energy Leadership Act of 2009, which Chairman BINGAMAN worked through his committee over a month's period of time, that has a number of issues regarding renewable energy, regarding nuclear technology, to reduce CO_2 emissions. Lots of things are in it. It passed in a bipartisan way through committee.

That is what we ought to bring up on the Senate floor. We should pass the Murkowski disapproval resolution so that EPA doesn't act prematurely before the Congress acts. We should bring up the bipartisan American Clean Energy Leadership Act of 2009, consider it, and use that as the route forward for us as a legislative body to act on a major issue facing our country, without having it done by fiat by an unelected bureaucracy, which is going to make people mad, and it will have a lot of costs.

In my State, Kansas City has a board of public utilities. If we put these costs on their electric generation, which is mostly out of coal, they are going to see their utility rates go up from the mid-20 percent to 50-some percent in less than a decade's period of time. Is that going to happen without any vote of this legislative body? We are going to see people's utilities rates go up possibly 50 percent with no vote taking place?

I think people would say we need to have a clear deliberation of this body. Also on this point, the way we have solved problems of this nature and magnitude in the past is through investment and innovation, not through taxes and regulation. It is us saying let's figure different ways forward to deal with this rather than let's tax people and regulate people more and drive up their costs.

A year and a half ago, we had the first hydrogen fuel cell locomotive roll down the tracks in Topeka, KS, done by BNSF, the Army, and several other groups. It is replacing a diesel. It is a test unit. But that investment and innovation by BNSF, which uses 5 percent of the diesel fuel in the country, that is the way you move forward rather than raise utility rates for people in Kansas City by 50 percent.

It is also a way that we as the American people have been most successful—investment and innovation—when people look at a better way for us to move forward, which is cost effective, and the American people embrace it if it works well. If it is, people will embrace it. They are delighted to do that. If we go the other route and say we are not going to do that through investment and innovation, we are going to do it through taxes and regulation and raise utility rates 50 percent, people are going to be flaming mad about that, and it is being done by an unelected bureaucracy to pursue that.

It would not work and it would not be accepted by the American public. It is not the way we have moved forward as a society. It would not be us leading in the world. It will be us following on, yet again—when somebody says you have to go by taxes and regulation, we say, OK, we will do it. That is not the American way. It is through investment and innovation. We have done it in the past. We can do it now, and we can have Congress's role in this on supporting a renewable energy standard, which is one way, where we get more energy from wind, nuclear, and a bipartisan bill that has already been produced. That is an acceptable way, the way the American public can embrace—not this route which raises taxes and regulation and will not be accepted by the American public.

I urge my colleagues to support the Murkowski resolution of disapproval and reject the EPA's endangerment finding and take up the bipartisan Energy bill that is cleared through the Bingaman committee for us to consider on renewable energy.

I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from New Mexico is recognized.

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent that our 30-minute block, which is coming up now, be divided in the following manner: Senator WHITEHOUSE for 10 minutes, Senator WEBB for 5 minutes, Senator MURRAY for 5 minutes, Senator LEAHY for 5 minutes, and I will close with 5 minutes. With that, I yield to my good friend from Rhode Island, Senator WHITEHOUSE.

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

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I stand in opposition to the resolution offered by the Senator from Alaska. The text of the resolution asks Senators to second-guess scientists and public health officials by voiding the scientific finding that carbon pollution may endanger public health or welfare—like there is any legitimate dispute about that question. The text of this resolution would halt all efforts by EPA to address carbon pollution, including the necessary and long-overdue fuel efficiency standards that EPA negotiated with States and the automobile industry, to everyone's satisfaction.

Mr. President, that is the text of the resolution. But the point of the resolution is far simpler: to delay—delay action on energy legislation, delay action by EPA to protect public health and, more importantly, to delay action in this Congress on energy reform and to preserve the status quo by taking off the pressure of facts and science and law that is now driving the process. They want to trump that with pure politics.

What you will hear from many colleagues who support this resolution is that they want Congress to act to address carbon pollution and not the EPA. But with all due respect, many of the resolution's supporters want nothing to do with comprehensive clean energy and climate legislation. What they want is for EPA to go away. If they can delay EPA's work to address carbon pollution or stop it in its tracks altogether, they take the pressure off of anybody to do anything serious

about a new energy policy or our addiction to fossil fuel. This is about delay on change in our energy policy.

Congress could be spending its time now setting the country on a new energy course by placing a price on carbon and investing in low-energy and clean-energy alternatives. Transforming our energy base will not happen overnight, but the longer we delay, the harder it will be.

That is what Congress could be doing. Instead, we are spending time arguing about whether the Clean Air Act should be used to fight air pollution. Outside these walls, in the real world, this question has to seem absurd. What else would the Clean Air Act be used for?

This issue has been all the way to the Supreme Court, and it is established law that the Clean Air Act applies. Then why are we debating this legislation? We are debating this because the big polluters—the same industries that brought us the April 5, 2010, mine disaster in West Virginia and the explosion on the rig in the Gulf of Mexico—like things the way they are. They like the status quo.

Under the status quo, while the rest of America was struggling to pull out of a recession earlier this year, big oil raked in record profits—$23 billion in just the first quarter of 2010. Under the status quo, when workers pay the costs of mining and drilling with their lives, when our environment pays for devastating oilspills, when our children pay the cost of dirty air with childhood asthma, big polluters don't have to pay the full cost of the pollution they have caused. That is the status quo they want to preserve.

In 2009, the polluters spent $290 million lobbying Congress or 10 times what the clean energy companies spent. This year, they have lobbied Members of the Senate to support this Murkowski resolution. They will keep on lobbying for delay and against energy reform, that is clear.

The question is, How will we respond to that big oil industry pressure? Will we fold before these big companies and their corporate lobbyists and delay again action on energy and climate change or will we stand up to the special interests and work to enact comprehensive climate and clean energy legislation?

This is not the first time I have spoken on the Senate floor in opposition to an effort to delay EPA action. But it is the first time I have done so against the backdrop of an environmental catastrophe.

This time, when I say polluters want to delay action on climate change and energy reform, we understand in a very real way the risk that delay poses. Despite the multimillion-dollar ad campaign by BP telling us not to worry because they are ''beyond petroleum,'' hundreds of thousands of gallons of crude oil now pour into the Gulf of Mexico from a BP well that exploded 2 months ago because they were big polluters and badly prepared.

Polluters have a powerful voice in Congress. Make no mistake about it; if they are successful in getting Congress to keep EPA from addressing carbon pollution, they will take all the pressure off for clean energy jobs legislation. But the tragedy along the gulf coast makes clear that we must do something. Today's vote will make clear who in this Chamber is on the side of delaying action on real energy reform and who is fighting for the American people, for jobs, and for the environment.

America is already years, if not decades, behind in the race to lead the global clean energy revolution. As far back as the 1890s, scientists documented the ''greenhouse effect'' of increased carbon dioxide in our atmosphere. The first congressional hearings on climate change were held three decades ago.

In 1994, the U.N. Framework Convention on Climate Change recognized human-caused climate change. The issue has been out there for decades, and now it is time to take action. We have to move swiftly to address climate change and to have America in front in the global race for clean energy jobs.

In the meantime, we have to allow EPA to use its legal authority to reduce carbon pollution and encourage the deployment of clean energy. The EPA isn't just inventing this authority, it is following the law of the land. Congress enacted the Clean Air Act in 1970 under a Republican President. For four decades, EPA has used the Clean Air Act to make our air safer to breathe. Over that same time, guess what. Our economy grew—many times over.

Some argue that the Clean Air Act isn't meant to clean up carbon pollution. Well, the Supreme Court disagreed. Congress wrote a very broad definition of ''air pollutant'' and specifically, in 1990, defined carbon dioxide as a pollutant in the Clean Air Act amendments.

Despite this broad authority, EPA was indeed idle for many years, but not of its own accord, and not when it was sued. In fact, the Bush EPA fought the application of the Clean Air Act to carbon dioxide every step of the way and to the bitter end, right up to the doors of the Supreme Court, where they lost. Despite the heavy hand of the Bush administration holding EPA back from doing its legal duty, the Supreme Court—one of the most conservative Supreme Courts in generations—ruled in 2007 that carbon dioxide and other greenhouse gas emissions were ''pollutants'' under the Clean Air Act. The Supreme Court held that if the Agency thought this pollutant could ''reasonably be anticipated'' to endanger public health or welfare, the EPA had to act.

Yet here we are, and some Senators still want delay. For delay, they are willing to vote for a resolution that disregards science. For delay, they are willing to vote for a resolution that undermines the Clean Air Act. For delay, they are willing to vote for a resolution that tosses aside a Supreme Court decision. And for delay, they are willing to vote for a resolution that ignores the will of the American people, largely for the benefit of big oil and other corporate polluters.

Should we have a national discussion on how to control carbon? Yes. Should we debate how to move to cleaner sources of energy? Absolutely. But rather than have an honest discussion about how to do this, supporters of this resolution want to delay doing anything at all.

The attorney general of my State of Rhode Island, Patrick Lynch, with 10 other attorneys general and the corporation counsel of New York City, sent a letter to the Senate leadership yesterday urging us not to vote for the Murkowski resolution because it ''would be a step backwards undoing the settled expectations of States, industry, and environmentalists alike.''

In closing, that is exactly the point of this resolution. It is a deliberate step backward. It is a delay tactic. It is a last attempt by polluters to hold onto the dirty energy economy that has treated them so well—$23 billion well so far this year.

Under this dirty energy economy, we spend $1 billion a day on foreign oil from countries that do not wish us well. Companies such as BP can cut corners on worker safety and the environment and then expect the government to come in and clean up their $30 billion mess. Twelve percent of our children in New England downwind from the polluters suffer from asthma and pulmonary disease. These kids matter. This issue matters. We can delay no longer.

I urge my colleagues to say no to delay, say no to taking all the pressure off the polluters, and vote against the Murkowski resolution so we can get to work to forge clean energy reform in America.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL of New Mexico. Mr. President, I yield 5 minutes to the Senator from Virginia, Mr. WEBB.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WEBB. Mr. President, I rise today in somewhat regrettable opposition to the resolution offered by the Senior Senator from Alaska.

I do not believe this is about big oil. This is not about oilspills. It is not about people who like dirty air. It is about the extent to which the executive branch in our government can act without the clear expression of intent from this Congress. I appreciate Senator MURKOWSKI's efforts to illuminate this issue further in front of our body.

Like Senator MURKOWSKI, I have expressed deep reservations about the consequences of the endangerment finding on carbon dioxide and five

other greenhouse gases that the Environmental Protection Agency issued on December 7, 2009. As many of us in this body well know, without proper boundaries, this finding could be the first step in a long and expensive regulatory process that could inevitably lead to overly stringent and very costly controls on carbon dioxide and other greenhouse gas emissions. This regulatory framework is so broad and potentially far reaching that it could eventually touch nearly every facet of this nation's economy, putting unnecessary burdens on our industries and driving many businesses overseas purely at the discretion of the executive branch and absent the clearly stated intent of the Congress.

Our farms and factories, our transportation system, and our power generating capacity would all be subject to these new regulations. This unprecedented, sweeping authority over our economy at the hands of the EPA is at the heart of Senator MURKOWSKI's concern, and ultimately, whichever way one votes on her amendment, it is what this debate is all about.

At a time when the economy continues to struggle under the burdens of the worst recession since the Great Depression, I do not believe that Congress should cede its authority over an issue as important as climate change to unelected officials of the executive branch. Congress—and not the EPA—should make important policies, and be accountable to the American people for them.

This is not a new concern for me. When this administration declared last November that the President would sign a ''politically binding'' agreement at the United Nations Framework on Climate Change in Copenhagen, I objected. I was the only Member of Congress to send the President a letter stating clearly that ''only specific legislation agreed upon in the Congress, or a treaty ratified by the Senate, could actually create such a commitment on behalf of our country.''

I have also expressed on several occasions my belief that this administration appears to be erecting new regulatory barriers to the safe and legal mining of coal resources in my state and others. My consistent message to the EPA is that good intentions do not in and of themselves equal the clear and unambiguous guidance from the Congress.

In examining this issue, I have also reviewed carefully the Supreme Court's holding in Massachusetts v. EPA. My opposition to EPA's regulation of carbon dioxide for stationary sources stems in part from my reading of the case. I do not believe that prior EPA Administrators acted arbitrarily and capriciously in declining to regulate carbon dioxide and other greenhouse gases. Nor am I convinced that the Clean Air Act was ever intended to regulate—or to classify as a dangerous pollutant—something as basic and ubiquitous in our atmosphere as carbon dioxide.

Notwithstanding these serious concerns with the endangerment finding and what I view as EPA's potentially unchecked regulation of carbon dioxide, I have decided to vote no on the resolution before the Senate. I have done so for two principal reasons.

First, Senator MURKOWSKI's resolution would reverse significant progress that this administration has made in forging a consensus on motor vehicle fuel economy and emissions standards. A little more than one year ago, the Obama administration brokered an agreement to establish the One National Program for fuel economy and greenhouse gas standards. This agreement means that our beleaguered automotive industry will not face a patchwork quilt of varying State and Federal emission standards. Significantly, this agreement is directly in line with the holding in Massachusetts v. EPA, which dealt with motor vehicle emissions. Both in the Clean Air Act and in subsequent legislation enacted by the Congress, there has been a far greater consensus on regulation of motor vehicle emissions than on stationary sources with respect to greenhouse gas emissions.

It has been estimated that these new rules, which are to apply to vehicles of model years 2012 to 2016, would save 1.8 billion barrels of oil and millions of dollars in consumer savings. The agreement, however, and the regulations that will effectuate it, both rest upon the same endangerment finding that would be overturned by this resolution. In this sense, the Murkowski resolution goes too far. And it is for this reason that the Alliance of Automotive Manufacturers and the United Auto Workers, UAW, have publicly stated their opposition to the legislation before us.

Second, I have concluded that an alternative, equally effective mechanism exists to ensure that Congress—and not unelected Federal officials—can formulate our policies on climate change and energy legislation. Senator ROCKEFELLER has proposed legislation to suspend EPA's regulation of greenhouse gases from stationary sources for 2 years. I am a cosponsor of Senator ROCKEFELLER's bill. His approach would give Congress the time it needs to address our legitimate concerns with climate change, and not disrupt or reverse the important progress that has been made on motor vehicle fuel and emission standards. I note that, to her credit, this was an approach that the senior Senator from Alaska originally proposed, and I am hopeful that we can take this approach in the future.

I am also pleased that in my discussions with the majority leader, he has assured me of his willingness to bring the Rockefeller bill to a vote this year.

Finally, let me say I share the hope of many Members of this body from both sides of the aisle that we can enact some form of energy legislation this year. I have consistently outlined key elements that I would like to see in any energy package. The centerpiece of any climate policy must be to encourage the development of clean energy sources and carbon-mitigating technologies. We should explore mechanisms that will incentivize factory owners, manufacturers, and consumers to become more energy efficient. We should also fund research and development for technologies that will enable the safe and clean use of this country's vast fossil fuel resources.

In November 2009, I introduced the Clean Energy Act of 2009, S. 2776, with Senator LAMAR ALEXANDER. This bipartisan bill will promote further investment in clean energy technologies, including nuclear power and renewable sources of energy. Specifically, the Clean Energy Act of 2009 authorizes $20 billion over the next 10 years to fund loan guarantees, nuclear education and workforce training, nuclear reactor lifetime-extension, and incentives for the development of solar power, biofuels, and alternative power technologies. I believe it is a practical approach toward moving our country toward providing clean, carbon-free sources of energy, helping to invigorate the economy, and strengthening our workforce with educational opportunities and high-paying jobs here at home.

This legislation by itself is not intended to solve all of our climate change challenges. It is, however, a measurable and achievable beginning and will place the Nation on a path to a cleaner energy future. In addition, through investment in lower emission transportation fuels, incentives to electrify the transportation sector, and support for technologies that will eventually enable the burning of fossil fuels in a carbon-free fashion, it provides a framework for technologies that will eventually enable a more effective response to climate change.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. WEBB. Mr. President, I ask unanimous consent for 1 more minute.

The PRESIDING OFFICER. Is there objection?

Mr. UDALL of New Mexico. My understanding is all the time is allocated in this 30-minute block. Senators are lined up to speak, I say to Senator WEBB.

Mr. WEBB. I was told last night that I would have 10 minutes. I got down here and discovered I have 5. Let me just say Senator ROCKEFELLER's bill can do the job. I hope my colleagues will look at it.

Mr. UDALL of New Mexico. I yield an additional minute.

Mr. WEBB. I appreciate that.

Ms. MURKOWSKI. Mr. President, before Senator WEBB continues, may I ask a question? If an additional minute is to be yielded to the opposition, I request that we also have additional time added to our side.

Mr. UDALL of New Mexico. I have yielded 1 minute from my time out of the 30-minute block. It is not additional time.

Ms. MURKOWSKI. I rescind that request if it is coming out of the Senator's time.

Mr. WEBB. Let me make this a lot simpler. I will take 15 seconds and say I am a cosponsor of Senator ROCKEFELLER's bill. I believe it is an effective approach. To Senator MURKOWSKI's credit, it is an approach she originally proposed, before she was shut off from getting a vote on that type of a procedure. I am going to vote against Senator MURKOWSKI's resolution, but I think she is on the right track.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL of New Mexico. Mr. President, I yield 5 minutes to the Senator from Vermont, Mr. LEAHY.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 5 minutes.

Mr. LEAHY. Mr. President, I will oppose the resolution. The resolution of disapproval before us reminds me of a skills competition for young people that has been promoted by the National Football League. It is called Punt, Pass, and Kick. The resolution is an engraved invitation for the Senate to make a big league handoff of a basketful of illness, economic stalemate, and environmental pollution to our children and grandchildren.

It would punt away constructive action to begin addressing many threats that each and every American faces from climate change, and the threats we face every day to our national security.

It would pass on opportunities to foster cleaner air and water for us and for the generations that will follow us. It would kick away the progress already negotiated by the Obama administration and key industries, such as automobile and truck manufacturers, to usher in new products that would pollute less while creating good American jobs—jobs that cannot be sent overseas, jobs we need in America.

Many on the other side of the aisle have been adamant in trying to wish these problems away and to forfeit the economic opportunities at our fingertips to lead the world in these new energy technologies. Powerful corporate interests are more than glad to contribute to these efforts to stalemate any progress.

What we are debating today is whether business as usual is good enough for the environmental challenges and economic opportunities that are already before us. We are being asked to overturn with a political veto the strong scientific evidence that points to a healthier future. We are being asked to undermine America's ability to clean up our air and our waters.

The science is clear that greenhouse gases are a danger, and they are a clear and present health and economic threat to the American people.

At a time when our Nation is responding to our worst environmental catastrophe of all time and oil continues to gush into the Gulf of Mexico, passing this resolution would be the Senate's way of saying: Nothing has changed; nothing should change. I disagree. It is a declaration of our intent to keep relying on the outdated, dirty, and inefficient technologies of the past, and to let every other industrialized country create jobs in their countries, leap ahead of us in developing and selling these new technologies. I disagree with that. This is another proposed bailout of big polluters.

I do not think this is the path we want to chart for our children and our Nation. A decade from now, will we be able to look back at this vote and not be ashamed of ourselves? EPA's findings are based on sound science and an exhaustive review of scientific research. Let's not the 100 of us cast a political vote to overturn that.

Much of what the special interests and big oil and their lobbyists have been saying in favor of this resolution is steeped in politics and mistruths, not in science. What we have here is the Environmental Protection Agency focused on protecting the American people, whether it is arsenic in our drinking water, smog in the air, mercury in the fish we eat, or greenhouse gases. Overturning these findings would be like trying to overturn science. You don't do it.

If we pass this resolution, it is not a case of hurting the economy. Quite the opposite. The resolution will hurt the economy by causing the American people to forfeit a third of the greenhouse gas emissions reductions that are projected to come from last year's historic agreement.

Do not overturn the EPA findings. Do not force our Nation's already struggling automakers to spend even more money to produce more fuel-efficient cars because a dozen States, such as Vermont and California, could then go forward, each with their own rules and standards.

Let us not be known as the Congress to continue to punt, pass, and kick on these crucial issues about which the American people are looking for solutions.

Mr. UDALL of New Mexico. Mr. President, I yield 5 minutes to the Senator from Washington, Mrs. MURRAY.

The PRESIDING OFFICER. The Senator from Washington State is recognized for 5 minutes.

Mrs. MURRAY. Mr. President, I rise today to express my strong opposition to the resolution before us that would block the EPA from regulating greenhouse gas emissions and protecting our families and the environment.

This resolution is not based on science, and I feel strongly it would be a step in the wrong direction for our country. We know greenhouse gas emissions are dangerous for our environment and to our families' health.

The science on this issue is clear, and it is something people in my home State of Washington take very seriously. Climate change would wreak havoc on much of what our families treasure—our forests, our coastlines, our salmon habitats, and our farmland.

The debate we should be having today ought to be how we move forward on that issue, not how to obstruct and stall and maintain the status quo. What we should be discussing is how to pass a comprehensive climate and energy bill that would reduce our dependence on foreign oil, support our national security objectives, and unshackle this economy; that would tap the creative energy of our Nation's workers and create millions of good, family-wage jobs here in this country and make sure our workers continue leading the way in the 21st-century economy.

I know there are several proposals that have been put on the table on this issue, but we can't just simply block EPA's endangerment findings and expect our greenhouse gas emission problem to resolve itself. I know there are industries that have concerns about being regulated. I understand they would prefer a legislative solution. I would too. But we have to keep moving forward so we can address this critical issue, and blocking the EPA's endangerment finding is a step backward toward the failed environmental policies of the past.

The law on this is clear. The Supreme Court has ruled that the EPA has the authority to regulate greenhouse gas emissions. A lengthy process was conducted to determine this endangerment finding, and the public, as well as the business community, has been fully engaged throughout. In fact, as has been said, the auto industry opposes this resolution because it would put them right back into a state of regulatory uncertainty.

If we look at vehicles alone, the national clean car standards as proposed under the Clean Air Act will cut carbon pollution from vehicles by 30 percent. In my home State, the transportation sector accounts for more than 50 percent of greenhouse gas emissions. And increased fuel efficiency standards will save our families money at the pump and it will cut demand for oil by an estimated 450 million barrels over the life of this program. All of that is threatened by this resolution.

It is especially disappointing to see this on the floor while images of oil gushing into the Gulf of Mexico and devastating the local environment and economy continue to be shown on every news channel in this Nation.

The resolution we are debating today is going to take us back to the failed old policies that have made us more and more dependent on oil. If the big oil companies and their lobbyists get their way on this vote, our families will continue to spend more on fuel, and it will be a lot harder for our economy to make the shift to cleaner and more efficient sources of energy.

The longer we put off dealing with greenhouse gas emissions, the more it

will cost our economy, our environment, and our health. So I strongly oppose this resolution that prioritizes big oil companies over our families and our small business owners. I hope that after this, we can work together to find real solutions.

Mr. President, I yield the floor.

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

Mr. UDALL of New Mexico. Mr. President, I thank the Senator from Washington for her comments, and I yield myself any remaining time in our 30-minute block.

Today, America faces an energy crisis. The Senate owes the American people solutions. But this resolution is an attempt to bury our heads in the sand and ignore reality.

The oilspill in the Gulf of Mexico is only the most visible aspect of our energy crisis. The true consequences of our energy policy are spread even wider than the spill and the costs, even more deadly.

First, our dependence on imported oil is a threat to our national security. Imported oil fuels dictators and terrorists, and the CIA believes climate change will make the world more unstable. If we block the clean energy transition with this resolution, we will be forced to use an additional 450 million barrels of oil, most of which will be imported. Instead, the Senate should reject this resolution and recognize that the transition to a clean energy economy is a national security priority. Americans want our national security out of the quagmire of foreign oil dependency. This resolution puts us in deeper.

Here at home, this dependence is also a threat to the pocketbooks of American families and businesses.

In 2008, American families and businesses sent $475 billion overseas to pay for foreign oil. Last year, we sent over $300 billion overseas. By the end of this year, we will have sent over $1 trillion outside the U.S. for imported oil in the last 3 years.

That is a massive transfer of wealth from families in New Mexico and the other 49 States to the treasuries of foreign nations.

If this resolution succeeds, we will import millions more barrels of oil and send billions more of our hard-earned money overseas.

If the Senate fails to act, the administration must take up the slack. This resolution would paralyze the Federal Government.

The administration is already making progress with new vehicle fuel efficiency rules, which will save 450 million barrels of oil. This resolution would jeopardize that effort, taking us backwards.

Further administration efforts will improve efficiency at power plants and major factories and reduce pollution.

Small businesses, farmers, and ranchers need not worry. They will not be subject to any EPA regulations on greenhouse gases.

Our dependence on dirty fossil fuels is also a threat to the global climate system—the air we breathe and the water we drink—in New Mexico and around the world. This resolution specifically rejects the EPA's scientific finding, conducted by nonpartisan scientists, that greenhouse gas pollution is a threat to public health and to the environment. There are no climate scientists in the Senate. This body has no business injecting political bias into scientific deliberations. The resolution should be rejected for this reason alone.

It is revealing that this resolution is supported by dozens of special interests that have worked for years to discredit strong science. The vast majority of the evidence tells us that global warming is real. Strong scientific evidence shows that unless we transition to clean energy sources, our home States will pay a heavy price.

Many supporters of this resolution doubt climate science. In response, I point to the scientists of Los Alamos National Lab. The scientists and supercomputers there keep America's nuclear arsenal safe, secure, and reliable. They have no margin for error. Los Alamos also runs some of the most sophisticated global climate models used by scientists around the United States and the world. These models indicate a serious risk to our landscapes and water supplies. Many scientific studies in the field confirm those risks.

In New Mexico, scientific evidence indicates devastating forest fires, droughts, and invasive species will be worsened by global warming. According to the Nature Conservancy, over 95 percent of New Mexico has seen temperature increases due to global warming. Ninety-three percent of our watersheds have become dried, and snowpack has decreased over the last 30 years.

Making matters worse, this same reliance on fossil fuels pollutes our atmosphere with toxic compounds such as sulfur dioxide, soot, and mercury, alongside greenhouse gases such as carbon dioxide.

Luckily, we have numerous cost-effective solutions at hand to address the energy and climate crisis. New Mexico and many other States across the Nation are rich in much cleaner domestic sources of energy, sources such as wind, solar, geothermal, and natural gas.

Last week, a uranium enrichment plant opened in New Mexico to provide emission-free fuel for American nuclear powerplants. Several years ago, wind energy was unusual, but now it is increasingly common, especially in the American West. Offshore wind has the potential to provide 30 percent of the east coast's power as well. The United States is now installing over a gigawatt of solar power each year. And there are another six gigawatts of concentrated solar power projects planned nationally, particularly in the Southwest. U.S. natural gas reserves have also increased by 35 percent in just 1 year. We now have a century's worth of supply. While natural gas is a fossil fuel, it is significantly cleaner than either coal or oil, and it is more abundant. The clean energy transition does not just mean renewable energy; it also means a renewed focus on natural gas and nuclear power.

Ironically, this resolution would also eliminate the incentive to invest in carbon capture technologies which are the future of coal.

Even worse, this resolution undercuts the push for energy efficiency. Without rules to reduce pollution, powerplants lack the right incentives to save energy. Both government and industry studies have found that the right efficiency investments could save energy and more than $1 trillion at the same time. Energy efficiency does not mean turning down the heater in the winter or the air-conditioner in the summer.

Mr. President, at its core, this resolution is about delay. The House is not going to take up this resolution. The sponsor of this resolution knows the President does not support this. There are not the votes. And really what is going on here is delay.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Ms. MURKOWSKI. Mr. President, at this time, the 30 minutes under Republican control will be allocated as follows: Senator WICKER will have 5 minutes; Senator THUNE, 10 minutes; Senator JOHANNS, 5 minutes; Senator KYL, 5 minutes; and Senator SESSIONS, 5 minutes. Senator THUNE will lead off this block.

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

The Senator from South Dakota is recognized for 10 minutes.

Mr. THUNE. Mr. President, I wish to thank the Senator from Alaska for her leadership on this issue. This is an important debate to have, and I wish to remind my colleagues what this debate is about because I have heard lots of discussion on the floor today about how this is somehow about the science of climate change.

This isn't about the science of climate change. Maybe we ought to have that debate. Perhaps that is something we should debate, but that is not what this debate is about. This debate is also not about some of the other issues that have been thrown out here—that this is about big oil or this is about the Republicans wanting to delay or protect somehow the status quo. That is not what this debate is about. This is a very simple, straightforward question. That question is, Do we, the U.S. Senate, want to be on the record with regard to the issue of whether the EPA ought to move forward and try to regulate CO_2 emissions under the Clean Air Act or should we wait until Congress takes up and deals with that issue?

What is ironic about what my colleagues on the other side are suggesting is that a lot of people have said

that Republicans just want to delay; they want to delay because they do not believe in the science. Well, we don't control the agenda; the Democratic leader controls the agenda. They have a climate change bill they could bring to the floor and we could debate it. They do not want to do that because they don't want to put a lot of their Democrats on record on that vote. So what do they do instead? We allow the EPA—a bunch of unelected bureaucrats—to move forward and do something that would have tremendous consequence to the American economy without hearing from the Congress.

I think that, in a very simple, straightforward manner, is what this debate is about. It is about, do we want the EPA to move forward with the regulation of greenhouse gas emissions absent direction from the Congress—the people's representatives—or do the voices of the people need to be heard through the debate we ought to be having here in the Congress?

I will say that irrespective of what you believe about the science behind climate change and whether or not human activity is contributing to it, one thing we know with great certainty is that it will have profound economic impacts on the American economy.

Mr. KERRY. Will the Senator yield for a question?

Mr. THUNE. I will yield at the conclusion of my remarks to the Senator from Massachusetts, but I have some things to get to before that.

Mr. President, what is important is that everyone acknowledges, including the Obama administration, that moving forward with the EPA regulating CO_2 emissions under the Clean Air Act would cause the economy to suffer.

I want to quote something the Office of Management and Budget put out last August in a document. It says:

> Regulating CO_2 under the Clean Air Act for the time is likely to have serious economic consequences for regulated entities throughout the U.S. economy, including small businesses and small communities.

If you look at the impact on small businesses, farms, and ranches, the proponents are going to say: Well, the EPA is not intending to regulate smaller entities like that; we just want to get the big polluters. OK. We start at 100,000 tons. Well, in 2012, we move to 50,000 tons.

I would argue—and it is supported by statements made by folks in the administration—the EPA Administrator has indicated that by 2016, they intend to regulate smaller emitters, if we get to 2016, because what will happen is this so-called tailoring rule will get challenged in the courts and it will likely get overturned because the Clean Air Act said the threshold for regulation is 250 tons.

At 250 tons, you don't get just the big emitters. You don't get the large polluters. You get over 6 million entities, to include farms, ranches, small businesses, churches, hospitals, and you can go right down the list. That is what happens when you regulate at the 250-ton level. As I said, they are saying that is not going to happen, that we have this tailoring rule. Well, the law is very clear. If we are going to use the Clean Air Act as the authority to do this, the Clean Air Act stipulates 250 tons. That captures a whole lot of entities that strike at the very heart of the American economy.

The cap-and-trade legislation that was passed by the House last summer has yet to be voted on here in the Senate, but there has been a lot of analysis of that done in my State of South Dakota. The public utilities commission in my State suggested that, if passed, that would increase power rates in States such as South Dakota by 50 percent.

If you look at what the actual impacts are going to be on small businesses across this country—not only because of the cost of the original construction permits that would be included in this but also operating permits—the Wall Street Journal said in a May 2009 story that in 2007 the Clean Air Act cost those who had to apply for permits $125,000 per permit and 866 hours to obtain it.

So whether you subscribe to the notion that this is only going to apply to large entities or whether you subscribe, as I do, to the belief that this is ultimately going to cover a lot more smaller entities that are going to be adversely impacted and deal with much higher power rates, I think it is pretty clear that whoever is covered by these new regulations is going to be faced with a lot higher costs when it comes to permits, a lot higher costs when it comes to the implementation of best available technology, and therefore a lot higher cost to the American consumer who will deal with the burden of that when it is passed on by these various emitting entities.

My State of South Dakota, of course, is composed of a lot of farmers and ranchers. Agriculture is a 45-percent energy-intensive business, if you look at the inputs that are necessary to make a living in a farm or ranch operation. That means 45 percent of a farmer or rancher's costs are going to be increased by this backdoor energy tax imposed by the EPA. The fees and fines that are placed upon machinery manufacturers, energy companies, and fertilizer companies starting in 2011 and 2012 will be immediately passed down to the farm and ranch families who are going to be impacted by this.

If the EPA is forced to regulate at the statutory 250-ton threshold—which, as I said, once this is litigated I believe that is what the courts are going to find—farms with as few as 25 dairy cattle would be forced to apply for a title 5 permit and pay a fee for each ton of greenhouse gases emitted by their cattle: the cow tax. That is what this is about. This is not, as I said, about the science of climate change. It is not about Republicans wanting to delay. We don't control the agenda around here. It is not about big oil. It is about small businesses, family farms, and ranches trying to make a living, trying to create jobs in the economy and constantly having Washington stand in the way and throw new hurdles and impediments and obstacles and barriers in their way.

What the Murkowski resolution does, very simply, is it forces us to answer a fundamental question and that is should Congress be acting on legislation that would direct these activities or do we allow a bunch of unelected bureaucrats at an agency downtown to move forward with regulations that would impose massive new costs on the American economy at a time when we are trying to create jobs and get this economy on its feet. That is the straightforward, simple question put forward by the resolution from the Senator from Alaska.

I hope my colleagues here realize, irrespective of what they think about the science of climate change, irrespective of all the other arguments that are being used as a distraction here on big oil and Republicans delaying this debate, when you get down to the fundamental question, that is what the issue is, whether this Senate wants to be on record about allowing a bunch of unelected bureaucrats to move forward with the regulations that would impose massive new costs on our economy, not just on big polluters, large polluters—who, by the way, are going to pass those costs on—but directly hitting the small businesses, farms, the ranches that are the very backbone of the American economy.

This is not, by the way, just a Republican issue. There are lots of Democrats who have weighed in on this and there are lots of Democrats I believe here in the Senate today who I hope will be willing to support this resolution. But I want to read for you very quickly here, because I know my time is running out, a couple of things that have been said by Democrats in the House of Representatives. COLLIN PETERSON, a Congressman from Minnesota, has said:

> The Clean Air Act was never meant to be used for this but they're trying to do it anyway. . . . Most everyone I've heard from about this thinks that elected officials—not EPA bureaucrats—should decide how to address our energy problems.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. THUNE. JOHN DINGELL called this a ''glorious mess,'' if the EPA moves forward with this. I have other statements from the Democratic Members of the House of Representatives which I will be happy to submit for the RECORD, as well as a letter from a bunch of Representatives in my State supporting the Murkowski resolution.

I yield my time and hope my colleagues will support this resolution.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Ms. MURKOWSKI. Mr. President, at this time I yield 5 minutes to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 5 minutes.

Mr. JOHANNS. Mr. President, let me, if I might, start out and say how much I appreciated the comments by the Senator from South Dakota. Many months ago I did a roundtable with a great company in Nebraska, Nucor Steel. Nucor Steel is one of those companies you hope takes a look at your State and creates the jobs that they have in your State—and they have. They employ about a thousand people. They do everything right. They are very pro-America. They are a well-managed company. They are a company that pays well. On average across the Nucor system, their wages are about $70,000 a year. For that area of any rural State, that is huge. That is huge.

We sat down in this roundtable. As the Senator from South Dakota points out, the impact on our businesses—the first thing I asked the folks of Nucor Steel, I said to them, Where is your competition? Who are you competing with?

They said: The Chinese.

I said: The Chinese?

They said: Absolutely. When we go out and fight for a contract to keep these people employed, we are fighting with the Chinese.

I said: Let me ask you, talk to me about the impact of all of this legislation and various proposals on climate change on your company and that competitive relationship.

They were very blunt and straightforward. They said: Very simply, MIKE, here is what happens. We go in a situation where we cannot compete. Already, this is a very tough business. If you pile onto us these additional requirements, we are in trouble immediately.

Here is what I want to say about the Murkowski amendment, to get started here today. I respect the Senator from Alaska for bringing this forward because this is the kind of debate we should be having on this very important issue on the Senate floor and on the House floor. This should not be a situation where we have relegated or allowed the responsibility to be taken over by bureaucrats here in Washington, DC.

I rise today to offer my support for Senator MURKOWSKI's resolution of disapproval. At the end of last year, as we all know, EPA announced that greenhouse gas emissions would be regulated under the Clean Air Act. But Congress never designed the law to do that. Yet this administration seems absolutely bent on this overreaching, regardless of, congressional intent. That is why I am one of the cosponsors on this resolution.

The resolution is very simply our way of saying, here in Congress, the Clean Air Act was never designed to allow you, the EPA, to regulate greenhouse gases. This endangerment finding is simply bad for everybody. It is bad for Nucor Steel, it is bad for business, and it is bad for every American out there who flips on a light switch.

EPA tells us over 6 million entities will be captured by these new permitting requirements. Who are they? They are commercial buildings, they are hospitals, they are ethanol plants. You can keep naming business after business that will get caught up in this. Thousands of business owners would now have to go to the EPA if they plan to expand through new construction or modifications. One Nebraska manufacturer recently wrote to me, concerned with this very stark reality, and said: ''These regulations will certainly influence our future decisionmaking regarding acquisitions, expansions, and new plants.''

So at a time where our economy is struggling, where everybody is trying to figure out the best pathway to create jobs——

The PRESIDING OFFICER. The time of the Senator has expired. The Senator's 5 minutes has expired.

Mr. JOHANNS. Let me wrap up and ask my colleagues to support this very important effort by Senator MURKOWSKI.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 5 minutes.

Mr. SESSIONS. Mr. President, I want to first say how much I support the Murkowski resolution, and I will be voting for it. But I want to point out, as ranking Republican on the Judiciary Committee, how it is we got into this circumstance and why it is not justified. Why it should never have happened, and why it is a product of the worst kind of judicial activism. And finally, why we need to see how we can work our way out of it.

In 1970, the Congress passed the Clean Air Act, and they allowed EPA to regulate pollutants. Rather than try to specifically define pollutants, they said it would be defined by the Director of the EPA, and he would have that decisionmaking authority. That is the way it was for many years.

Then years went by and people began to talk about global warming. Global warming developed a certain momentum and a number of scientists signed onto this idea. Even though CO_2 is a plant food and the more CO_2 that is in the atmosphere the better plants grow. And even though we breathe out CO_2 and plants breathe in CO_2 which produces the oxygen that we breathe in this wonderful system that we are a part of. They concluded that CO_2 was increasing because we were taking carbon fuels mostly from our soils, burning it, and that was increasing the percentage of CO_2 in the atmosphere. Presumably it had at one time been in the atmosphere and had been sucked up by plants.

So this argument arose that it would create global warming. In 1997 Congress had a vote on the Kyoto accord, to deal with whether we wanted to take these firm, aggressive steps to reduce CO_2. By a vote of 97 to 0 we voted not to do that. We were not prepared to do that.

Someone filed a lawsuit. In 2007, it came before the U.S. Supreme Court. The Supreme Court was asked to decide on the prohibition of air pollutants, which passed in 1970 when nobody was thinking about global warming, instead they were thinking about particulate matter, NO_X and SO_X, acid rain, and those kinds of pollutants that go into the atmosphere. The question was, did that word ''pollutant'' include CO_2?

To me, a responsible court would have said Congress had all these years to pass a law and specifically add CO_2 as a pollutant if they wanted to. In fact, we have amended the law and never added it. They would have asked, Is this a big economic issue we are deciding? It is a huge economic issue, because it would give the Environmental Protection Agency the right to regulate every single emission of CO_2—every automobile, every factory, every home, every hospital, every steel mill; everybody who emits CO_2 would be under the regulation of the EPA.

They voted and by a 5-to-4 margin the Supreme Court of the United States just declared—just by dictate declared—that Congress intended to cover CO_2 when they passed the Clean Air Act of 1970.

It is a stunning thing. It is a huge activist decision. In my opinion, it shows how dangerous judges are who are not committed to restraint and responsible action—how dangerous it can be when you give them the power to pass something Congress would not have passed. They didn't pass it then. And in my opinion, they would not pass it today. But the Supreme Court said so.

I support the Murkowski resolution.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Arizona is recognized for 5 minutes.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 5 minutes.

Mr. KYL. Mr. President, I too support strongly the Murkowski amendment. There has been a lot of misinformation spread about this. Let me clear up a couple of things. First, this resolution is not about the science of climate change. It has nothing to do whatsoever with greenhouse gases or the Earth's temperature.

It would not prevent the Senate from considering climate legislation if that is what the Senate chooses to do. Nor does this resolution have anything to do with the spill in the gulf coast, although some have tried to make it appear that way. Let's remember this resolution was introduced months before that spill even began. It has nothing to do with the disaster. We should not exploit this serious crisis for political gain, as the White House has tried to do.

So what is the resolution about? Well, it boils down to a simple question: Should the Environmental Protection Agency be allowed to act unilaterally to set climate and energy policy through new Clean Air Act regulations without the delegation or approval of Congress. And the answer is no. It is wrong for the administration to try to achieve its goals by any means possible, in this case by going around the legislative branch and by using the EPA to enact sweeping economic and energy regulation.

In order to stop that, we need to approve this resolution. Let me provide a bit of context for how we got to this point. In December of 2009, the EPA finalized so-called endangerment findings for six greenhouse gases, allowing it to establish greenhouse gas emission standards for a few new motor vehicles.

Once those standards go into effect, under the law EPA has no choice but to follow through and issue regulations for stationary sources of greenhouse gas emissions. In fact, the EPA has estimated that about 6 million of these stationary sources: buildings, and facilities, including hospitals, nursing homes, schools, farms, and so on, will be subject to regulation.

There will also be a new regulation of homes and RVs and cars and tractors and so on. The new regulation will touch every corner of our economy and necessarily lead to higher energy costs, increasing the cost of nearly everything, and in the process killing jobs.

President Obama himself said that under the plan he favors, electricity prices ''would necessarily skyrocket.'' Well, the Murkowski disapproval resolution would nullify the legal effect and force of the EPA's endangerment finding. It would prevent the EPA from using the Clean Air Act to set up a regulatory regime to impose backdoor climate regulations that would lead to a job-killing national energy tax.

Americans have made it very clear that they do not like the idea of legislation that will increase their energy bills and raise their taxes. They want Congress and the administration to focus on strengthening the economy and providing incentives to job creators rather than burdening them with new regulations. They deserve to be heard. If they say through their representatives they do not want a national energy tax in the form of cap-and-trade legislation to pass Congress, then the administration should not be able to circumvent their will by simply having the EPA do it.

This is a clear up-or-down vote to stop a power grab by unelected officials at the Environmental Protection Agency, and to force any climate and energy regulation to go through a democratic process conducted by Congress.

I urge my colleagues to support the Murkowski resolution.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Ms. MURKOWSKI. Mr. President, under the unanimous consent agreement, we had reserved 5 minutes for Senator WICKER, but I am to going to yield those 5 minutes to Senator HUTCHISON.

The PRESIDING OFFICER. The Senator from Texas is recognized for 5 minutes.

Mrs. HUTCHISON. I thank the Senator from Alaska for her great leadership in bringing this to the floor. I support this resolution. While cap-and-trade legislation has stalled in the Senate, the administration is pursuing a backdoor approach to implement new regulations. The EPA's use of the Clean Air Act as a vehicle to expand its authority is a political maneuver that will allow the agency to bypass Congress and regulate greenhouse gases.

This is the prerogative of Congress and Congress has not acted because it would be a mistake to act. So here comes the regulatory agency to bypass Congress because they cannot get congressional approval to do what they are trying to do.

This vote has nothing to do with the oilspill in the Gulf of Mexico. It is unfortunate that some are trying to use this tragedy in the Gulf of Mexico as some sort of leverage against this resolution. We all agree that we need a responsible energy policy that strikes a critical balance between the protection of our environment, natural resources, and the preservation of American jobs. It is the responsibility of Congress to implement such a balanced policy.

It is also the responsibility of Congress to consider the economic impact that regulations will have on Americans throughout our country. Here is how these regulations will affect my home State of Texas. In Texas, more than 30,000 businesses will be in industries that will now be newly subject to the EPA regulations.

Texas' agriculture industry, which accounts for $106 billion, or 9.5 percent of Texas' total gross State product, would be disproportionately damaged by the proposed regulations because of their use of fertilizers which are already regulated.

Across the country, small businesses, which are the backbone of our economy, and farmers and ranchers, which are the backbone of our economy, will be devastated by these regulations. According to the U.S. Small Business Administration's Office of Advocacy, the smallest businesses bear a 45-percent greater burden than their larger competitors.

The annual cost per employee for firms with fewer than 20 employees is over $7,000 to comply with their regulatory burden. Actions from the EPA are going to give foreign competitors an advantage over American businesses. While our businesses will become burdened with these new regulations, companies in China and India will have free rein in U.S. markets.

As our economy begins to recover, the last thing families and small businesses need is a backdoor energy tax that is going to raise their costs across the board. Rather than imposing invasive regulations, we need a responsible energy policy that focuses on making alternative sources of energy, such as nuclear, wind, and solar commercially available. We all agree on that. That would be a balanced approach to an energy policy, which is what elected representatives should be making.

This vote is to prevent a federal bureaucracy from doing the work of the elected representatives of the people. I am alarmed by this further attempt of the administration to circumvent congressional authority. I am sorry to say but this is becoming a hallmark of this administration, more regulation. And if Congress does not agree, let the agencies do it.

I am dealing in the Commerce Committee right now with the FCC that is doing exactly the same thing. They are going to impose net neutrality rules when Congress has not authorized the regulation of the Internet in that way. It is a pattern that is beginning to show itself and it is wrong for our country.

I am going to stand strong against cap and trade. I will certainly oppose the audacious attempt by this administration to bypass Congress and implement new regulations without the authority of Congress.

As a solution to climate change, we need to work together to promote the use of clean and renewable sources of energy. We need to work on creating jobs, not tax small business to keep us from being able to create the new jobs.

It is important that we work together. We are the elected representatives of the people. The EPA is not. And this is overreach. If we do not stop it, who will? Who will stop bureaucracy and agencies that are not authorized by Congress to take on more and more regulatory responsibility that is not theirs, and that is going to cost jobs in our country?

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. HUTCHISON. The growth of government is breathtaking in this country. I urge my colleagues to think about this and support the Murkowski resolution.

I yield the floor.

Ms. MURKOWSKI. Mr. President, has all time expired?

The PRESIDING OFFICER. All time has expired.

The Senator from California.

Mrs. BOXER. Mr. President, I yield 15 minutes to Senator KERRY.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 15 minutes.

Mr. KERRY. Mr. President, we have heard the arguments on both sides of this debate. But for all the discussion and all the rhetoric, the choice before us is really stark and simple. This is a vote and choice between recognizing the greatest environmental risk of our time or legitimizing the deniers. It is a choice between protecting the health of

our families and the air we breathe or continuing a pattern of pollution that threatens our children and our communities. It is a choice between getting serious about policies that will put America on a real path to energy independence or increasing our Nation's oil dependency by 450 million barrels.

The stakes for our country are enormous. And if you have any doubt about that, any doubt at all, look no further than what is happening in the Gulf of Mexico even as we debate this choice. Every hour on our television screens we are watching another tragic and costly reminder of the hazards of our oil addiction, all that from only a single accident at a single offshore oil well.

In April 2007, the Supreme Court for the first time issued a ruling on the issue of climate change. The Roberts Court was asked to consider the Bush administration's refusal to issue greenhouse gas standards for cars and trucks. The case hinged on two key issues: (1) does the Clean Air Act authorize regulation of greenhouse gases and (2) if so, should EPA set emissions standards for motor vehicles. The decision by the majority in the landmark Massachusetts v. EPA case was conclusive on both fronts. The justices determined that ''the harms associated with climate change are serious and well recognized,'' and they firmly and positively identified greenhouse gas emissions as the cause of those harms. In light of that assessment, they found that greenhouse gases ''fit well within the Clean Air Act's capacious definition of 'air pollutant.''' In light of that, the justices directed EPA to fulfill its obligation under the Clean Air Act to determine, based on scientific evidence alone, whether greenhouse gas emissions from cars and trucks pose a threat to human health or welfare. This ''endangerment finding'' was finalized in December of last year.

The resolution under consideration today, S.J. Res. 26, seeks to overturn this finding and permanently prohibit EPA from ever issuing a similar determination, regardless of the strength of the science and the urgency of action.

This resolution is not based in substance or in fact. We know that the threats of climate change are widespread, compelling and urgent.

In fact, on May 19, the National Research Council, our Nation's leading scientific body, declared in its most comprehensive study to date that the evidence of climate change is ''overwhelming.'' They urged ''early, aggressive, and concerted actions to reduce emissions of greenhouse gases.''

However, the resolution we are debating today would achieve precisely the opposite goal. We are being asked to literally vote down the science, squander billions of barrels of oil savings, and shirk our responsibility to address the greatest energy, national security, and environmental challenge of our time.

By invalidating the scientific finding that greenhouse gases pose a threat to human health and welfare, this resolution would remove the legal basis for the landmark agreement that was reached last year to regulate greenhouse gas emissions from cars and trucks. According to the Union of Concerned Scientists, this agreement is on track to save American consumers a total of $34 billion and create 263,000 American jobs in 2020. This agreement also takes a tremendous step toward energy independence by reducing our oil consumption by 1.8 billion barrels. By removing EPA's authority to jointly implement these regulations with the Department of Transportation, this resolution comes at the very steep cost of 450 million barrels, almost one quarter of these oil savings.

And, that is just the minimum amount by which this dangerous resolution will increase our oil dependence. In light of President Obama's recent announcement that the administration plans to extend the vehicles standards beyond 2016, the prohibition on EPA action will eliminate significant additional opportunities in the future to reduce our Nation's oil consumption, increase our energy security, and draw a bright line between ourselves and those nations that would do us harm.

So why are we being asked to affirmatively reject a scientific finding based on ''overwhelming evidence'' and potentially billions of barrels of oil savings? Congress, we are told, needs more time to develop energy and climate legislation and the Federal Government must be stopped from making any progress in the interim.

As someone has been meeting with my colleagues now for over a year, sitting down with all the stakeholders, I am struck by the irony that many of the proponents of this argument are the very same people who at every opportunity have avoided engaging in a serious legislative effort to tackle these issues. On the one hand, they say it is a job for Congress not the EPA, then they stand in the way of Congress doing the job in the first place. And they stand in the way even at a time when we have brought together an unprecedented coalition of industry and environmental support for action in this Congress. If you do not want the EPA to act, but you will not let Congress lead, when are we going to solve this challenge?

Here is how Ron Brownstein, one of the keenest observers of Washington, summed it up: ''It's reasonable to argue that Congress, not EPA, should decide how to regulate carbon. But most of those Senators who endorsed Murkowski's resolution also oppose the most plausible remaining vehicle for legislating carbon limits: The comprehensive energy plan that Senators John Kerry, D–Mass., and Joe Lieberman, ID–Conn., recently released. Together, those twin positions effectively amount to a vote for the energy status quo.''

Let's not kid ourselves. The Senate has never solved a problem by delaying. And on the issue of climate change, we have delayed action too long, for two decades we have stood still. We have stood still while other countries race ahead, while we lose market share in a global market, and while China and India create jobs and profits racing ahead with technology that Americans invented.

Mike Splinter, the CEO of Applied Materials, crystallized our choice in his May 25 op-ed. He said, ''Our failure to act has consequences. Ten years ago, the U.S. accounted for 40 percent of worldwide solar manufacturing. Today that figure is less than 10 percent. Meanwhile, China has gone from producing five percent of the world's solar panels in 2007 to nearly half last year . . . Over the next five years, China, India and Japan will out-invest the US in energy technology by at least three-to-one.''

And still here we are debating the science itself, still distracted by campaigns to foster the idea that climate change was ''theory rather than fact.'' That is the same campaign the tobacco industry waged for decades, arguing that the link between cigarettes and lung cancer was ''theory rather than fact.''

Well, you can delay the inevitable only so long. If you put science on trial, as they did in the famous Scopes Monkey trial in 1925, the truth will win out. And I will tell you the science on climate change is more definitive than ever and more troubling than ever.

Globally, temperatures are at an all-time high, with the first decade of this century conclusively establishing as the hottest decade on record. Man-made pollution is acidifying our oceans at a rate at least 10 times faster than previously thought, creating inhospitable physical conditions for shell-building animals that serve as the basis of our ocean food chain. Sea level rise is threatening cities like Boston, where city officials are actively planning for how to manage 100-year floods that are now becoming 20-year floods, in the face of global sea level rise of three to six feet by 2100. Worsening drought conditions will create persistent drought in the Southwest and sharply increase Western wildfire burn area. And the National Academy of Sciences has confirmed that these damages may be irreversible for 1,000 years.

Those who say we are not ready, we need more time, miss the fact that we know what we have to do and we know how to do it in a way that makes economic sense. We have debated bipartisan energy and climate legislation in the Senate for years, beginning in earnest with the McCain-Lieberman bill of 2005. The House of Representatives passed a comprehensive energy and climate bill nearly 1 year ago, and the Senate Environment and Public Works Committee reported out a similar bill last fall. Over the last several months, Senator LIEBERMAN and I, with the help of Senator GRAHAM, built on these

efforts to develop the American Power Act.

Our legislation adopts the formula originally developed by Republicans and implemented by President George H.W. Bush, that environmental goals should be achieved at the lowest possible cost to American consumers and businesses. In fact, the nonpartisan Peterson Institute for International Economics just completed the first independent analysis of the American Power Act, and found that the bill would generate a decade of multi-million-dollar investments, creating 200,000 new jobs a year and reducing foreign oil imports by 40 percent. The study also says that because of the strong consumer protection provisions in the bill, American families will see a $35 net decrease in energy costs annually through 2030.

The Senate can and must take action this year, and the American Power Act provides the foundation for getting the job done. I urge my colleagues who recognize the threats caused by our oil dependence to close the gap between words and action and join us in passing a bill this year. We have collectively kicked the can down the road long enough, and the Nation is less secure as a result. It is time to stand with 75 percent of the American people and pass energy and climate legislation that makes a meaningful and lasting difference.

Before I yield the floor, I would like to make one final point. While many members have come to the floor today to eviscerate the EPA and create a caricature, the reality is that the Agency is taking a thoughtful, measured, step-wise approach to regulating greenhouse gas emissions. Administrator Jackson has logically committed to addressing the largest sources first: new power plants or factories that emit over 100,000 tons of greenhouse gas emissions, or existing plants that undergo significant expansions representing over 75,000 tons, and they won't go into effect until over a year from now. Contrary to the wild claims you have heard today, these regulations will not impact small businesses or family farmers, and will remain focused on only the largest polluters for at least the next 6 years.

Mr. President, protecting our environment does not have to be a partisan issue. On the first Earth Day in 1970, more than 20 million Americans, Republicans, Democrats, Independents, all turned out to protest the pollution of our environment. And later that year, President Nixon signed the EPA law because Republicans recognized as much as Democrats that we had to put an end to rivers catching on fire, Great Lakes dying, and air pollution so great that on some days here in Washington you could barely see the Capitol from Arlington Cemetery.

It has been 40 years since we put the EPA in charge of cleaning up our water and air, and its track record is indisputable. Russell Train, the EPA Administrator during the Nixon and Ford administrations, emphasized in a recent letter opposing the Murkowski resolution that the economic benefits of the Clean Air Act have exceeded its costs 10 to 100-fold. But the resolution under consideration today would stop the EPA in its tracks, without any sort of alternative plan for addressing the greatest environmental threat of our time. Let's stop the demonizing and get to work.

Today we should be debating how to craft comprehensive energy and climate legislation, not how to reverse the important progress that is underway. This amendment is a distraction. It is an excuse. It is time for the Senate to do what this institution was meant to do, and provide leadership on an issue that is crying out for it.

I have been listening carefully to a whole bunch of our colleagues on the other side of the aisle come to the floor and talk about what this is not about. Every single one of them has laid out a rationale for doing away with something as if it were a regulation. They come to the floor and, frankly, there have been very few facts here, because I keep hearing about the tailoring rule of the EPA, that does not take effect until 2016, which lays out a whole process by which we normally do things.

But we keep hearing our folks on the other side of the aisle say this is not something that Congress intended, or this is not something we should leave to the bureaucracy. Neither could be further from the truth.

We created the law on which this is based. The Congress passed the Clean Air Act, and the Supreme Court of the United States, not a bureaucracy, made a fundamental health finding decision that, in fact, global climate change is happening, and that the pollutants of greenhouse gases are, in fact, included in what the Clean Air Act envisioned.

The Supreme Court has dictated this policy, and they dictated it as a matter of health, not as a matter of some bureaucratic rule. We do not have a rule in front of us right now. We have a process by which the EPA is going to go through, determine what they may or may not do.

I heard my colleague from South Dakota come to the floor and say: Well, all we are trying to do is delay this so Congress can act. This is going to be the great hypocrisy test resolution. We are going to see how many of those folks who are here on the floor saying: We need to leave it to Congress, how many of them are actually going to show up and vote to do what we need to do in order to change things. How many of them are going to be on the front lines trying to, in fact, make the things happen that have to happen in order to restrain greenhouse gases?

We heard him say: We are just delaying this. No, they are not just delaying it. That is not true. Because under the Administrative rule act, when you reject a resolution, have a resolution of rejection, as this is, you are specifically not allowed to come back with the rule or anything like it.

Let me read specifically from there. It says:

> A rule shall not take effect if the Congress enacts a joint resolution of disapproval.

That is what this is.

> (2) A rule that does not take effect under paragraph 1 may not be reissued in substantially the same form, and the new rule that is substantially the same as such rule may not be issued.

There it is, plain and simple, folks. That is what is happening here. This is an effort to permanently prevent the EPA from ever taking up the question of greenhouse gases and their right to restrain them.

Let me read exactly what the Supreme Court said. This is the Supreme Court. And let me put a little politics history behind this. In 1999, under the Bush administration, the first Bush administration, they did not want to do this, for all of the same reasons people do not want to do it now. So people went to court to get them to do what they are supposed to do in the public interest. But it was challenged. It went all the way to the Supreme Court, and here is what the Supreme Court of the United States said. Greenhouse gases ''fit well within the Clean Air Act's capacious definition of air pollutant.''

So the Supreme Court of the United States, not a bureaucracy, found that the intent of Congress was properly being fulfilled in the effort to restrain greenhouse gases. What Senator MURKOWSKI and colleagues are trying to do here is undermine the health finding. This, in fact, is represented by the Supreme Court.

The Court found that climate science has already indicated that rising levels of greenhouse gases were warming and harming the Earth. They go through that reasoning. The Court then said they reviewed the history of the Clean Air Act and found that in 1970, Congress added a broad definition of ''welfare,'' including ''effects on climate.''

Finally, the Court found that the Clean Air Act's sweeping definition of ''air pollutant'' unambiguously includes greenhouse gases. That is why we are here today.

What our colleagues are trying to do is prevent this from happening. They are repealing an entire health finding.

It is kind of interesting. Look at the people who represent health in the United States: the American Academy of Pediatrics, Children's Environmental Health Network, American Nurses Association, American Lung Association, American Public Health Association, National Association of County and City Health Officials, Trust for America's Health, Physicians for Social Responsibility, National Environment Health Association, American College of Preventative Medicine, and on it goes. All of them are opposed to what Senator MURKOWSKI is doing because it does not represent the health interests of the country.

We have heard a lot of arguments, but for all the discussion and rhetoric, the choice before us is stark and simple. This is not a simple delay. This is brought to us by some of the same people who have resisted doing anything about many of these things for ages. Why is it that the United States is more dependent today on foreign oil than we were before September 11? It is because we haven't done anything to reduce our dependence on foreign oil. We have an opportunity to do it now. This is about that.

The same people have resisted changes through the years—resisted CAFE standards, resisted changing where and how we produce oil, a long list of things that have been prevented from happening. The American people today are paying $100 million a day to Ahmadinejad and Iran in order to buy oil because we haven't reduced it.

The option is whether we are going to get serious about those other things. This is a vote between whether we recognize the greatest environmental risk of our time or whether we legitimize deniers of that. It is a choice between protecting the health of our families and the air we breathe or whether we continue a pattern of pollution that threatens our children and communities. That is what the EPA was set up to protect. It has protected that through the years. This is a question of whether we are going to get serious about policies that will put America on a path to energy independence or increase our Nation's oil dependence by another 450 million barrels.

The stakes for our country are enormous. If Members have any doubt about that, every day on television everybody is seeing what is happening in the gulf, the result of one single accident, one single offshore oil well.

In April of 2007, the Supreme Court, for the first time, issued a ruling on the issue of climate change. Some people don't like it. The Roberts Court was asked to consider the Bush administration's refusal to issue greenhouse gas standards for cars and trucks. The case hinged on just two things: Does the Clean Air Act authorize the regulation of greenhouse gases, and, if so, should the EPA set emission standards for motor vehicles?

The decision by the majority was conclusive on both fronts. In light of that, the Justices directed the EPA to fulfill its obligation under the Clean Air Act to determine—I emphasize—based on scientific evidence whether greenhouse gas emissions for cars and trucks pose a threat to human health.

On May 19, the National Research Council, which is our Nation's leading scientific body, declared in its most comprehensive study to date that the evidence of climate change is overwhelming. They urged early, aggressive, and concerted actions to reduce emissions of greenhouse gases. The resolution we are debating today would achieve absolutely the opposite goal. We are being asked to vote down the science, to squander billions of barrels of oil savings, and shirk our responsibility to address the greatest national security and environmental challenge of our time.

Some may say, no; they are just trying to restrict the bureaucrats from doing this. Everybody understands what this battle is all about. By invalidating the fundamental scientific finding that greenhouse gases, in fact, pose a threat to human health and welfare, this resolution would remove the legal basis, the legal foundation for the agreement that was reached last year to regulate greenhouse gas emissions from cars and trucks.

According to the Union of Concerned Scientists, this agreement, the agreement to which I am referring, is on track to save American consumers a total of $34 billion and to create 263,000 American jobs in 2020. The agreement also takes a huge step forward toward energy independence by reducing our oil consumption by 1.8 billion barrels. If we remove the EPA's authority to jointly implement those regulations with the Department of Transportation, then we lose the foundation for proceeding forward with that benefit. That is the minimum amount by which this resolution would increase our oil dependence.

In light of President Obama's recent announcement that the administration plans to extend the vehicle standards beyond 2016, the prohibition on the EPA action would eliminate significant additional opportunities in the future to reduce our Nation's oil consumption, increase our energy security, and draw a bright line between ourselves and those nations that want to do us harm.

Why are we being asked to affirmatively reject a scientific finding that has been based on overwhelming evidence, and why would we be asked to reject potentially billions of barrels of oil savings? We are told Congress needs more time to develop energy and climate legislation. The Federal Government has to be stopped from making progress in the interim.

I have been meeting with my colleagues now for over a year at least, over 20 years that I have been working on this issue. The distinguished chairwoman of the Environment and Public Works Committee, similarly, and others, have been at this for a long time. I am struck by the irony that many of the proponents of this argument are the very same people who, at every opportunity, have avoided engaging in a serious legislative effort to try to reduce greenhouse gas emissions or deal with climate change.

On the one hand they say it is the job of Congress, not the EPA. Then they stand in the way of Congress doing its job in the first place. They stand in the way even at a time when we have built an unprecedented coalition of industry—the faith-based community, the national security community, businesses small and large, environmentalists, all of whom believe we now have a method by which we can grow jobs in our country, increase energy independence, and reduce pollution all at the same time.

Let me share with colleagues what Ron Brownstein, one of the keenest observers of Washington, summed up in writing the following:

> It's reasonable to argue that Congress, not EPA, should decide how to regulate carbon. But most of those Senators who endorsed Murkowski's resolution also opposed the most plausible remaining vehicle for legislating carbon limits.

I want to make sure we understand something as we do this. A lot of people have come to the Senate floor to eviscerate the EPA and create a caricature of that Agency, when that Agency, frankly, is taking a thoughtful, measured, stepwise approach to regulate greenhouse gas emissions.

Administrator Jackson has said she is committed to addressing the largest sources first, new powerplants or factories emitting more than 100,000 tons of greenhouse gas emissions, and then going to those over 75,000 tons. None of that will even go into effect until a year from now through the normal administrative public process that we have set up for our agencies to represent us.

It is astonishing to me that this has become a partisan issue. In 1970, 20 million Americans came out of their homes to march in the streets because they saw the Cuyahoga River in Ohio light on fire. They wanted to stop the pollution. We passed the Clean Air Act, Clean Water Act, Safe Drinking Water Act, marine mammal protection, coastal zone management. The history of the implementation of those acts has been to clean up rivers, clean up lakes, and see fish swim again where they didn't, to be caught again by kids who go fishing with their parents. We brought that back. Now we are trying to undermine the ability to continue that job, to make the health and welfare of our citizens better, and to lead the world with respect to these technologies. The United States is not leading in one of these technologies today. It is time for us to understand, we need to get our act together.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Mr. President, I thank Senator KERRY. We now turn to Senator LIEBERMAN for 5 minutes, followed by Senator MERKLEY for 5 minutes.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 5 minutes.

Mr. LIEBERMAN. Mr. President, I thank Senator BOXER for her leadership in this matter.

I rise to oppose the resolution offered by my friend from Alaska, and she is my friend. I rise to say that I think, though I oppose the resolution, that debate on the resolution has clarified the choices Members of the Senate have on this matter. I think it has illuminated the scientific consensus, and

in the end, the defeat of this resolution, which I hope for and support, will actually increase momentum to adopt comprehensive energy and climate legislation this year which is the real alternative to executive action by EPA next January.

I know several of my colleagues have argued today that this resolution is about stopping EPA from regulating greenhouse gas emissions and preserving that role for Congress. But the resolution does, of course, much more than just offer an opinion about who should regulate greenhouse gas emissions. It rejects EPA's finding that ''six greenhouse gases taken in combination endanger both the public health and the public welfare of current and future generations'' of Americans. It would also prevent EPA from reaching a similar conclusion in the future.

To me, that means this resolution looks an awful lot like an attempt to impose political judgments on scientific judgments. That is wrong.

There has been a lot of talk over the years of basing what we do on sound science. This resolution would lead us in exactly the opposite direction. Should the resolution become law, Congress would in effect be saying EPA was wrong when it reached its conclusion that global warming emissions harmed public health. Since that finding was the basis for EPA's tailpipe emissions standards, the Murkowski resolution would send EPA back to the drawing board on those rules, which are broadly supported by the business and environmental communities and significantly increase both our dependence on foreign oil and air pollution.

Regardless of whether my colleagues believe Congress or the EPA should determine our national strategy for addressing the threat of global warming, I hope they can agree that unchecked carbon dioxide emissions endanger human health and welfare. Frankly, I thought that debate was over. Climate change is happening. The science is convincing. The current pattern of energy consumption is just making a bad problem worse. It is time to move past the debate about climate science and engage in an honest, productive, bipartisan conversation about what we can do as a nation, as a people privileged to be leaders of this Nation, to combat the problem, the challenge that science tells us is happening.

The solution we come up with can and will create good jobs. It can and will ensure our role as a leader in the global clean energy economy. It can and will safeguard our national security by safeguarding our energy security. Last month, Senator KERRY and I presented the American Power Act, which I think achieves all of those goals I have stated and more. It is the product of months of discussions with Republicans and Democrats, the business community, and the environmental community. Together I think we came up with an innovative approach to addressing both our energy and climate challenges. It enjoys broader support than any similar proposal I have ever been involved in from the business and environmental communities. It is a coming together of the work of the Environment and Public Works Committee under Chairman BOXER and the Energy Committee under Chairman BINGAMAN.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LIEBERMAN. I would say, finally, there is a path forward that allows Congress to act but does not reject the science of climate change. That path forward is a ''no'' vote on the resolution and a ''yes'' vote on comprehensive energy and climate legislation like the American Power Act.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, before we hear from Senator MERKLEY, I want to note that immediately following him, Senator BINGAMAN will have 5 minutes.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 5 minutes.

Mr. MERKLEY. Mr. President, today I rise in opposition to the resolution before us from my colleague from Alaska.

Since 1970, the Environmental Protection Agency has been charged with responding to and identifying threats to our atmosphere, threats that affect public health, threats that affect weather, threats that affect climate.

During this time, the EPA has identified and responded to many threats: sulfur dioxide; nitrogen dioxide; mercury, a potent neurotoxin; lead, lead that was poisoning the air our children breathed and affecting their mental development. In each of these cases, we had a force that said: We must respond.

Now, today, we have before us a resolution which says: It does not matter that our public health is being affected. We are going to overturn the finding. We are going to call the science invalid. We are going to say politics, not science, should be the foundation of our policy.

This, of course, is the attitude that was put forward year after year during the Bush administration: Take the scientific papers and shred them. Take the scientists and set their views aside. Today, we have a continuation of that Bush strategy of burying science. It is the wrong foundation for public policy to bury science. We should take and respond responsibly.

We have now before us a finding that was developed actually by the scientists in the Bush administration. You might recall, it was the Bush administration scientists who first developed the finding related to changing the atmosphere with the global warming gases of methane and carbon dioxide and other gases that are changing the chemistry of the environment, and that we have to respond to protect the health of our citizens—a straightforward concept, supported by the scientists of the last administration and by the scientists of this administration.

Not only that, but we are proposing in this resolution to undo the tailpipe emissions rules that reduce our demand on foreign oil. This resolution will increase our demand for foreign oil by 455 million barrels per year. That is a lot. Let me translate that. That is not equivalent to the amount of gasoline to drive around the Equator once. No. That is not equal to the amount of gas to drive around the Equator 10 times. Not at all. It is not even equal to the amount of gas to drive around the Equator 1,000 times. This is an increase in our dependence on foreign oil equal to the amount of gasoline that would propel a car around the Equator 10 million times.

This means far more money in the hands of foreign governments that do not share our national interests. This means a compromised national security. This means a lot of additional carbon dioxide being put into the air. And this means a lot more harm to the citizens of the United States.

Burying science is wrong. This resolution that challenges our national security, diminishes our economy, and threatens the atmosphere and our public health is also wrong. It must be defeated in this Chamber.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from New Mexico is recognized for 5 minutes.

Mr. BINGAMAN. Mr. President, I will vote ''no'' on the Murkowski resolution of disapproval. Senator MURKOWSKI and I have worked together on a comprehensive energy bill this Congress and also on a cap-and-trade bill in the last Congress. She has been very consistent in her view that we need to act on the issue of global warming but that we need to be sensitive to the impacts of such legislation on our economy.

I appreciate the concerns she has voiced with respect to the need to protect industry from onerous regulation. I firmly believe those views are sincere. I disagree, however, with the substance of this resolution, in that, regardless of overall intent, it is asking Congress to overturn a scientific finding made by some of our best scientists. In my view, the EPA should not be prevented from continuing its work to reduce greenhouse gas emissions until Congress is able to prescribe a more permanent fix.

For the past several Congresses, we in Congress have been engaged in a dialog on how best to provide a permanent fix. There have been many bills introduced on the topic. We have had several votes on specific legislation. Each time, though, we have fallen short of actually enacting legislation. Now, as a result of the Supreme Court ruling, we are in a situation where the EPA is required by law to take action to regulate greenhouse gas emissions.

There is a near universal agreement among Members of the Senate that it

would be better for Congress, rather than the EPA, to take action and to prescribe the means of regulating greenhouse gases. Congress has the ability to consider the whole economy and the global scope of the problem in a way that is not available to the Administrator of the EPA under the Clean Air Act. Congress can design and enact policy that would be mindful of the wide range of stakeholders and minimize its economic impacts, and ensure a smooth transition to a clean energy economy.

I continue to support action by the Congress to regulate greenhouse gases instead of direct regulation by the EPA under the Clean Air Act. However, the resolution before us is not about whether the EPA should be regulating greenhouse gases or how they should go about it. We are, instead, being asked to vote on whether the EPA was correct in its finding that ''current and increasing levels of greenhouse gases threaten the public health and welfare of current and future generations.''

Frankly, there is nothing controversial in this fundamental scientific finding. It has survived intense scrutiny by thousands of scientists and interested parties the world over in the past decades. Just last month, in a report delivered by the National Academies of Science at the request of Congress, this finding was further supported by our Nation's top scientists. So this vote would amount to a congressional rejection of the most basic findings of climate science, and how we vote today will be looked on by many, including the international community, as they evaluate America's commitment to address this global problem.

Finally, I have reviewed the EPA's actions on greenhouse gas emissions and their recent tailoring rule that would ensure that only the very largest sources would be subject to any kind of regulation. Of these very large sources, only those that are new or are pursuing major modifications will be required to implement new control technologies.

As EPA considers what technologies must be implemented, the economic viability of the technology is taken into account as well. I believe it is important that EPA continue with its work and that we in Congress get on with taking the steps we need to take. For these reasons, I urge a ''no'' vote on this resolution.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Ms. MURKOWSKI. Mr. President, I am assuming that time on the Democratic side has expired.

The PRESIDING OFFICER. The time has expired.

Ms. MURKOWSKI. I thank the Chair.

At this time, in our remaining 30 minutes, it shall be allocated as follows: Senator COBURN for 5 minutes, Senator ROCKEFELLER for 10 minutes, followed by Senator MCCAIN for 5 minutes, and then I will conclude with 10 minutes.

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

The Senator from Oklahoma is recognized for 5 minutes.

Mr. COBURN. Mr. President, I have listened to a great deal of the debate. I have heard it claimed that the EPA has scientists; that none of us are—except that is not accurate. There are about four or five trained scientists in the Senate, and I happen to be one of them. But the whole predicate that we heard from the Senator from Massachusetts was: The basis was the Supreme Court. They are certainly not scientists.

The other thing I would reject is what the Senator from New Mexico said. As a scientist—and if you read the minority opinions on all the reports they have cited—this is not settled science. Even if it were, this is one Senator who would say this is not the time to do this. Our economy is still on its back, and it is going to be that way for the next 4 years. We have massive problems in front of us. And we are going to add a ruling—not a congressional ruling, a bureaucratic ruling—that is going to kill jobs, that is going to increase the cost of everything we produce in this country because it all starts with energy. It is going to mandate changes in behavior that will affect every family in this country. So even if it were absolutely true, I would tell you we should not be doing it now.

The second thing is to say that the EPA is going to do this. Do you realize the EPA cannot even train 250,000 contractors for lead paint? They blew it. They totally blew it. They were incompetent, and, consequently, we have hundreds of thousands of people who today still are not working on older homes because of the EPA's incompetence.

So for us to claim we have to do this now, and we should not reject this now, is like cutting off our nose to spite our face. No matter what anybody says, it is going to have a major impact on our economy at the time when we cannot afford to have another negative drag on our economy.

Even if it is true—it is not; but even if it is—it would be stupid for us to do this now, especially when the rest of the world is not coming along at all and the footprint we might minimize will not have any impact on the health of Americans. So we are going to have a certain amount of CO_2 no matter what because the Chinese certainly are not doing it, the Indians certainly are not doing it, and they are building one smokestack a day in China right now.

So for us to take this action—in light of the incompetency at the EPA, in light of our economic situation we find ourselves in—I find it highly ironic, even if it is the right thing to do, now is not the right time to do it, given the place where we find ourselves economically in this country.

Then, finally, I have been in this body for 5 years, and I have heard, time and time again, the people opposing this motion to disagree complain about an administration taking away our rightful legislative duty. This is not something that should come from a bureaucracy. This has way too big of an impact.

If we cannot get it through Congress, it should not happen. That is what our country is set up on. Instead, by default, we are going to allow a bureaucracy to take over what we are supposed to be doing? The way this country works is, if we do not do it, it should not be happening because there is not a consensus in the body to get a clean energy program out of the Senate. So you cannot have it both ways. You cannot complain about it when you are seeing it in things you like and not complain about it when it is things you do not like.

I will finish with this one point: We better be very careful in this body about what we are doing. We are playing with the future of 200 million Americans that is extremely precarious at this point in time from an economic standpoint. We can claim all the long-term negative health consequences, but as a physician, if you do not have an economy or you have an economy that crumbles, no matter what you have done on that, you have not helped anybody.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. COBURN. Mr. President, I yield back and thank the Senator from Alaska for the time.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 10 minutes.

Mr. ROCKEFELLER. I thank the Presiding Officer.

I rise today to lend my support to the Murkowski Resolution of Disapproval for one simple but enormously important reason: because I believe we must send this strong and urgent message that the fate of our economy, our manufacturing industries, and our workers, including our coal workers, should never be placed solely in the hands of the federal Environmental Protection Agency. I have long maintained this in Congress. I have been around here for a while. I was a Governor for 8 years. I think the elected people, and not the unelected EPA, have a constitutional responsibility here and on an issue which is so totally important. We are accountable to those people.

Some here seem to talk about other aspects of this. I tend to focus, as a VISTA volunteer who went to West Virginia and lived among coal miners, on people and all the problems, including the problem of climate change, that attend to their future.

I am not here to deny or bicker fruitlessly about the science, as some would suggest. In fact, I would suggest that I think the science is correct. However, it doesn't one iota deter from my support of the Murkowski resolution.

I care deeply about this Earth and resent anybody who suggests otherwise about either me or the people of my State. I care about the fundamental human commitment—the higher calling we all have—to be a steward.

Greenhouse gas emissions are not healthy for the Earth or her people, and we must take significant action to reduce them. We must develop and deploy clean energy, period. I accept all of that. But EPA regulation is not the answer. EPA has little or no authority to address economic needs. They say they do, but they don't. They have no ability to incentivize and deploy new technologies. They have no obligation to protect the hard-working people I represent with deep and abiding passion—people who changed my life. I was born anew in the coalfields of West Virginia at the age of 26. So I fight for my people. I understand I am a Senator, but I am a Senator from West Virginia, and I have a right to fight for them, and I do, and I support Senator MURKOWSKI's amendment because of that. Their jobs matter. Their people, their work matters. Their lives matter. Any regulatory solution that creates more problems than it fixes and causes more harm than good in the real lives of real people, if they are affected badly, is no solution at all. I won't accept it. It is not something I will be a part of.

We are capable of tackling this great challenge in a way that supports rather than undermines our economy and our future. But the process has to work. It has to be open. It has to be not the property of a couple of people, but it has to be something the Congress comes to understand. I have always felt that if you went to more than 10 percent of the Congress, House and Senate, and asked them to explain what cap and trade means, they would have no idea. That was one of our problems with the health bill. It is fairly important that people understand what it means on this bill—not on this bill but the bill that is being talked about.

I am willing to work with people on a solution, but it has to be legislative because on this, above all, the Congress must decide. I don't care about the Supreme Court. I don't care about EPA in the sense of them being the final voice on the future of my people in the State that has some of the most carbon of any in the country. I know people laugh at coal. We don't. You can't run this country without coal. I am for all alternative fuels, even nuclear, to my surprise. I am for all of them. But when you add them all up, nobody can make the point that you can do any of this without coal. Does it have to be cleaner? Absolutely. Is there any excuse for not making it cleaner? No, there is not. But you can take 90 to 95 percent of the carbon out of it. That is a solution for our people, and we mine coal. We mine coal and send it to the States of people who are drawing up this bill. I just wish they knew us a little better.

I asked Administrator Jackson to clarify the EPA timetable as well as the impact of EPA regulations on industrial facilities. She responded quickly to my letter. She was nice about it. She showed some willingness to set a timetable, moved it up about a year, and I appreciate that. But she also made clear that the EPA's regulations will go forward regardless of whether Congress has acted on a comprehensive energy policy and regardless of whether Congress has given the EPA a direction in law about how and when and upon whom those regulations should be imposed.

So I introduced my own legislation to suspend EPA action for 2 years. It is a little different from the Murkowski legislation, but it makes the same point. The EPA can't decide. We have to. Some can ridicule that. I don't. I am elected to protect my people and my country, but first comes my people and especially on this issue.

I support legislation to prevent any future catastrophe like the oil spill, which is, to my mind, a totally separate issue and has no business being discussed at the same time this is being discussed. I also support legislation to advance new clean energy and clean coal technologies.

West Virginia is poised to lead a major part in the effort on clean technology because we know energy. We have lived with it for the last 150 years. We know coal. We know natural gas. We are coming to know CCS as few others do. It is a triumph when one of our power plants reduces 90 percent of the carbon emissions from the flue stream that it treats. That is a triumph to us—maybe to nobody else, but to us it is because it happened and it came from the stimulus package and we were a part of that.

The fact is, we in West Virginia know and embrace what too many others either don't understand or will not choose to see, which is that our Nation is dependent on coal for more than 50 percent of its electricity today, and nothing is going to change that fact. All the renewables in the world will not change that fact.

So I close. Even if the country achieves maximum success for all of the new ideas on the table for new green energy, our American quality of life and the rapid rise of energy needs around the globe will drive the same or greater need for coal for many generations to come. So we better do coal correctly. It is going to be coal that solves it.

Coal mining is hard. It is dangerous. Most people have never been down a mine. A few people who have discussed this don't know what they talk about when they talk about it. And it is not the fault of a coal miner. He just mines or she mines the coal that is out there. That has to be handled at the stationary source.

I don't want EPA making all those rules. I don't want EPA turning out the lights on America. As I said, coal can be cleaner. But the responsibility for putting in place laws and policies that spur new technologies and new ideas and the responsibility for any major energy and environmental policy change lies not with the Federal regulatory agency acting in isolation—I don't even know where EPA is located—but with the Congress, with the people who are elected—us—to be included in a process which has not been well managed to do the right thing.

I proudly support the Murkowski resolution, and I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 5 minutes.

Mr. MCCAIN. Mr. President, I am here to speak on the Murkowski resolution before us.

The American people deserve to fully understand what this vote is really about and what is at stake for them if Congress fails to prevent EPA from unilaterally imposing massive regulations that will damage our economy and destroy jobs.

I wish to be clear to my colleagues and to the American people. This vote is not about the science of climate change. It is not about whether Congress should or should not create policies to limit carbon emissions. It is not about protecting oil companies or, as the White House has absurdly claimed, the oilspill in the Gulf of Mexico. What this resolution is really about is whether the American people, through their elected representatives, get a say in our Nation's energy policy through their elected representatives or if they will be bound by the whims of the unelected bureaucrats at the Environmental Protection Agency. More importantly, it is about protecting the American people from a crippling backdoor energy tax that we, and small businesses and large, cannot afford.

I wish I could provide my colleagues and the American people with a detailed assessment of the impact EPA's proposed regulations would have on our economy, but the EPA has refused to provide Congress a comprehensive analysis of the potential economic impact. To paraphrase Speaker PELOSI's comment that we have to pass ObamaCare so we can find out what is in it, I guess EPA will need to impose new regulations on 6 million buildings, facilities, farms, and other ''stationary sources'' before we find out how much it will cost or what impact it will have on the economy.

There is one thing we can all agree on: Allowing the EPA to be turned loose on the American people is a terrible idea that will be extremely expensive. A spokesman from the Edison Electric Institute, which, to their shame, supports congressional efforts to pass a cap-and-trade bill, stated that the only certainty is that EPA regulations to limit carbon emissions would be far more expensive than if done by Congress.

Let's not forget what we now know about the legislation that was passed in the other body. That would cost families upwards—every family—of $1,000 a year. In fact, the Office of Management and Budget warned that:

Making the decision to regulate CO_2 under the Clean Air Act for the first time is likely to have serious economic consequences for

regulated entities throughout the U.S. economy, including small business and small communities.

Even some bureaucrats at the EPA must have realized how crippling these regulations would be to small businesses and farmers, which is why they proposed a tailoring rule to delay the effect these regulations would have on the American public. Unfortunately for the American people, the tailoring rule stands on shaky legal ground.

This is really an Orwellian kind of experience. Demonstrating an unparalleled disregard for congressional intent, the EPA is attempting to make a case that Congress intended to regulate greenhouse gas emissions under the Clean Air Act, even though greenhouse gas emissions were not formally addressed by the act. Conversely, EPA claims that the tons-per-year threshold set by Congress in the Clean Air Act should not apply to greenhouse gases. In simpler terms, EPA believes that although Congress didn't cover greenhouse gases under the Clean Air Act, it really did, and although Congress set thresholds for covered pollutants, it really didn't.

Finally, for those who claim this is somehow about protecting oil companies, I suggest we listen to what over 425 companies and organizations are saying about these regulations. Small business men and women across the country are telling us that EPA's proposed greenhouse gas requirements will stifle economic growth and disadvantage them in the global marketplace. I suggest we listen.

So here we are. Here we are. Last Tuesday, we had a vote where people turned out in massive numbers against what is going on in Washington. They believe their Constitution is being taken away from them. They believe they no longer have a voice in what we do here. What this EPA decision would do is deprive the Congress, our Nation's elected representatives, of a role in profound decisions that would have tremendous effects on the economy of this country.

I strongly suggest that no matter how you stand on the issue of greenhouse gas emissions or climate change, you reject this government, unelected bureaucrat takeover of a significant portion of the U.S. economy.

I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Alaska.

Ms. MURKOWSKI. How much time remains on the Republican side?

The PRESIDING OFFICER. There is 10 minutes remaining.

Ms. MURKOWSKI. Mr. President, as we conclude the day's debate on this resolution of disapproval, I will say that the debate has been good. Many points have been raised, and I appreciate that. I will say, though, as I have listened throughout the course of the 6 hours, I have heard consistently on the side of those who support this resolution of disapproval—I have heard consistently that this is about jobs, it is about the health of our economy, it is about the strength of the economy as a whole and about really ensuring, again, that our Nation remains strong while at the same time we take care of our environment. These are not mutually exclusive goals—never have been and never will be.

I want to address some of the statements that have been made here and made very clearly.

First is the issue of overreach—overreach by the EPA into the domain of the legislative branch. This has been spoken to so many times as we have discussed this resolution of disapproval—that the overlapping triggers that are contained in the Clean Air Act effectively give the EPA control of our Nation's energy and climate policy. I do not think that is a sane and rational policy when we cede our authority in the legislative branch to effectively allow our energy and climate policy to be developed and implemented by an agency, that being the EPA. This has huge implications for the separation of powers and our constitutional system of checks and balances, not to mention what I said at the outset—the jobs and the recovery from this economic recession.

This is not a debate about the science. Science has been discussed a lot. Really, this is about how we respond to the science. We are not here to decide whether greenhouse gas emissions should be reduced. We are here to decide if we are going to allow them to be reduced under the structures of the Clean Air Act. Unlike what some of my colleagues have said, this resolution doesn't gut the Clean Air Act at all. It doesn't address it. It does not change the text in any way. It only prevents a massive expansion of its authority.

It has been suggested that somehow or other this resolution is a bailout; somehow or other this is tied to the disaster in the gulf; somehow or other this is all tied to the oil industry. Again, this is absolutely not anything that has to do with the disaster in the gulf, in no way, shape, or form.

The suggestions that somehow or other this is all about big oil belies the coalition of support that has been built across this country, from Maine to Alaska and all the points in between—530 organizations, different stakeholders all over the board, in terms of why they feel EPA should not be setting climate policy for this country.

You cannot see this chart because the print is so small. I apologize for that. But there are 530 organizations, businesses, stakeholders, and advocacy groups that have endorsed this bipartisan resolution. So you look through here and you say: OK, are these all the oil and gas organizations that are in this country? But I will just direct you to some of the ones from, for instance, Texas. Texas is an oil- and gas-producing State.

Look at Texas. There is the Texas Agricultural Cooperative Council, the Texas and Southwestern Cattle Raisers Association, Texas Aromatics, Texas Association of Agricultural Consultants, Texas Association of Dairymen, Texas Cattle Feeders Association, Texas Citrus Mutual, Texas Cotton Ginners' Association, Texas Independent Ginners Association, Texas Food Processers Association, Texas Forestry Association, Grain and Feeders Association, Nursery and Landscape Association—and I am only halfway through the Texas organizations that support our resolution of disapproval.

So the suggestion that somehow this is all tied into the oil industry, again, just simply does not comport with what has been happening. Why are these organizations standing up and speaking out and saying this is not the path we should be taking with climate? It goes back to the jobs. It goes back to the issue of where we are as an economy. It goes back to the level of bureaucratic overlay that will be imposed on the California Citrus Mutual or the California Cotton Growers Association or the Carpet and Rug Institute or the pizza company from Ohio.

This is absolutely about how we as a Nation determine those policies that will, in fact, allow us to have the clean air we all want. But we can achieve those goals in a way that isn't going to kick our timing in the head. Who can do that? Is it the EPA, whose mission is solely and exclusively that we have to follow the letter of the law here? The letter of the law says to not only go after the big polluters but all the way down to the small emitters, which emit 250 tons of carbon per year. And every effort EPA may want to make in terms of tailoring, all it is going to take is one lawsuit that challenges that tailoring to inject the uncertainty back into the market, back into the business place. So once again we have an economy that just can not get back on its feet.

This is not a referendum on any other bill that is pending in Congress, but it is a check on EPA's regulatory ambition. It presents an opportunity for us to stop the worst option for regulating greenhouse gases from moving forward, while we work on a more responsible solution.

I want to take a moment to thank my colleague from West Virginia, who spoke very passionately about why he supports this resolution—because of the people he represents. I ask all of us to look to the people we represent. Look at your small businesses, your farmers, your ranchers, your pizza manufacturers. Look to them. Look to the health of their families and their communities.

I have a packet here that outlines the broad support for this resolution among the Alaska stakeholders. It is everything from our Alaska State Legislature to our Governor, our seafood processors, our small business refiners, those who are trying to get an Alaska gas line in place, our native corporations, the assembly from Anchorage,

letters from local mayors. I am listening to what the people of Alaska are saying. They are making very clear that they want to ensure that when we develop climate policy, the ''we'' is ''we the people,'' we the elected Members of Congress, and not those unelected bureaucrats within an agency who will not only develop that policy but then in turn implement that policy. The Alaskans I am hearing from are saying: Make sure that as we as a State try to build our economy, we can do so in a manner that allows us time.

The PRESIDING OFFICER. The Senator's time is up.

Ms. MURKOWSKI. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the remaining time on our side be divided as follows: myself, 2 minutes; Senator UDALL of Colorado, 5 minutes; Senator LAUTENBERG, 5 minutes; and Senator BOXER for the remainder of the time.

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

Mr. MERKLEY. Mr. President, this debate is not about the overreach of an agency because indeed this Congress charged EPA with responding to threats to our atmosphere that endanger the public health of our citizens. We asked them to do that because we know that if it was decided on this floor piece by piece, it would be politics over policy. So we gave them the responsibility to respond to lead, to respond to mercury, to respond to global warming gases, and they are exercising that responsibility in a very moderate fashion.

Second, this is about science because this resolution does not say we accept the science but we are going to change the way we respond to it. It doesn't say that. It says we reject the science. It says we reject the endangerment findings to the public health of our citizens.

Third, this is about big oil. Have no doubt, this resolution increases our dependence on the Middle East and Venezuela to the tune of an enormous amount, so much that you would have to drive a car around the Equator 10 million times to consume that oil. It is wrong for our national security and wrong for our economy, and if you have any doubt, take a look at the impassioned plea from the oil industry, saying: Please, don't pass this. Why do they not want us to pass this? They want to sell us that gas from the Middle East and Venezuela and drive a car around the Equator 10 million times or the equivalent across America.

So for our national security and for our economy to create jobs, we must reject this resolution.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Mr. President, I yield 5 minutes to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. UDALL of Colorado. Mr. President, I thank the Senator from California for her leadership on this crucial resolution before us.

I rise in opposition to the resolution offered by my good friend, the Senator from Alaska.

Recent events have given us pause. If there has ever been a wake-up call, then surely the images of oiled pelicans, docked charter boats, and the sickening plume of oil cascading into the blue waters of the gulf should provide it.

Time and time again, we have seen opportunities to seize our energy future passed up because of our addiction to fossil fuels, our tendency to put off difficult choices or our habit of letting partisanship get in the way. This unsustainable path has led us to a complacent sense of security, and now look at where we are—caught off guard by a tragic set of events in the Gulf of Mexico.

As the gulf disaster has made clear, our existing sources of energy come at a cost greater than just the price at the pump. They can be catastrophically damaging to our economy, our national security, and our environment. I don't have any illusions about our need for traditional energy sources, and on that I agree with the Senator from Alaska. The more quickly we transition to cleaner energy, the sooner we secure a strong and vibrant future for America.

Every year, we send nearly $800 billion overseas to buy oil from foreign countries, some of which clearly don't have our interests at heart. But I believe the resolution we are debating today would help continue this reliance.

Let's not be fooled. We are in a race against foreign competitors in the European Union and in Asia to meet the world's demand for clean energy. Advanced and entrepreneurial countries like ours should do well in such a race. Instead, over the last 5 years, as clean energy started to boom, the U.S. renewable energy and trade deficit ballooned by 1,400 percent. China, South Korea, and Europe are all pulling ahead of us in this crucial race.

I just returned from China, along with Senators FEINSTEIN and HAGAN. My impression, quite simply, is that China appears to be taking bolder actions than the United States.

For example, the largest wind farms and solar farms in the world are being built in China. Moreover, China is investing heavily in safe nuclear powerplants and clean coal technology.

Perhaps, though, most troubling is their development of clean energy is in part financed by Americans who see more stable support and a better investing climate for clean energy abroad.

I believe the resolution from the Senator from Alaska, however well intended, signals to investors that our country is not ready to fully support these investments in clean energy.

While there is a compelling economic and national security case to be made for transitioning to a clean energy portfolio, that is not the only reason. Scientists, industry, and State and local officials all agree that climate change is a challenge our society must address.

In my home State in Colorado, we are already witnessing the effects of climate change. Increased threats from drought, wildfire, and the bark beetle infestation are not theoretical, they are real. Come to my State and see those effects.

I firmly believe to fully jump-start this inevitable revolution we must put a price on carbon. Some have suggested this would lead to job loss. I disagree. Our experience in Colorado tells a different story. By setting renewable targets, we have helped create an exciting, vibrant, growing clean energy economy in Colorado that has delivered thousands of new jobs. Those jobs have remained in this economic downturn because they are real jobs, they are future jobs, they provide the energy we need.

Our financial markets and our energy markets have been waiting for years for leadership from the Congress on this issue. Despite the economic, the environmental, and the national security interests at stake, some of my colleagues seem to be dead set on throwing up barriers in front of investors. This is in part why I am opposing this resolution. It sends a message that the status quo is acceptable. It is not. We need a clear path forward, we need a price on carbon, and we need to set achievable standards for renewable energy to create a positive environment for private investment.

This resolution would block that path. No less than our safety and our security is at stake. I urge my colleagues to vote against this resolution.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I thank Senator UDALL for his remarks.

I turn to a real leader on clean air, clean water, a real fighter for the health and safety of our children and our families, Senator LAUTENBERG, for 7 minutes.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I thank the Senator from California and commend her for the struggle we have had with this issue when, in fact, there should not be any struggle.

This is not an issue, in my view, that ought to be debated. To reduce the protection we want to offer our families to me sounds silly, and I believe to the American public it is going to sound silly as well. I do not ascribe any evil intent on the part of the Senator from Alaska, but I think it is absolutely mistaken.

The question before us today is simply, Whose side are you on? Do you want to afford your children and your grandchildren the most protection they

can have against foul air, against contamination, against pollution generally, or are you worried about the oil companies? We should not have to worry about them. As a matter of fact, they ought to worry a little more about us—a heck of a lot more about us.

Taking nothing away from the experience and the knowledge the Senator from Alaska brings, I was in Alaska the second day after the Exxon Valdez ran aground. I saw the casual attitude that prevailed with Exxon. It told me something about the thinking of these companies. There it was, the ship was foundering. We had people already up there. There were heroic efforts by people from Fish and Wildlife, by people from the Park Service, Interior, up there caressing little seals, trying to get the oil off them so they could survive, eagles and all kinds of animals.

What happened there—and I use this as an example—what happened there is that Exxon was assessed a penalty. They paid the compensatory damages, but they were assigned a penalty for their behavior. They were fined $5 billion. Instead of paying at that time when they made $3 billion—equivalent to $6 billion in today's currency—when they spent all their time in court on lawyers, the $5 billion that was owed to the American people was cut down to $500 million. That is the attitude. We see it with BP—all kinds of disguises, all kinds of fabrications, all kinds of lies, wanting to talk about: This is not such a bad thing; we will take care of it.

First they offered to take care of it. Then they said they will pay the claims and then legitimate claims. Always modifying.

The question is, Whose side are we on? The side of big oil, the people who are right now responsible for much of the destruction in the Gulf of Mexico or are you on the side of your own children, your own grandchildren?

I have experienced it, as most families have, with a child who has asthma and another one who has diabetes. We are not sure of the source of these conditions, but if my colleagues vote for this resolution they are voting to allow a clear and present danger to the health of their own families. How can they do that?

The American Academy of Pediatrics, 60,000 members, all of them well trained in science and medicine, has been clear in the warning that climate change will have the most dramatic effect on children.

What is our responsibility? To me, the responsibility is to take care of our kids however we can do it, protect them from all kinds of dangers. Here is one that will just increase it if we permit this resolution to go through.

Think about your grandchildren coughing and gagging on foul air in the future. I see it in my own family. My oldest grandchild is 16. He has asthma. When the atmosphere is bad, he is in terrible shape. When my daughter takes him—he is a good athlete—to play baseball or otherwise, the first thing she checks is where is the nearest clinic so if he starts to wheeze, she can get there in a hurry.

We have seen a troubling increase of asthma. The rate of asthma in children has doubled, and we know carbon pollution causes increased asthma attacks.

More global warming means increases in malaria and food and water shortages that will devastate children around the globe. Global warming is upon us. We have to solve the problem and with that the pollution of the air.

Put simply, this resolution is an attack—unintentionally I am sure—on children's health but that is going to be the result. That is why the groups that support children and health are opposed to Senator MURKOWSKI's resolution.

The resolution puts politics—politics—ahead of science. The science is clear: Emissions from burning coal and oil are sickening children all around the world, and if we can help them—I don't care what country they are in—we should help them. But we want to take care of those in our country.

The resolution asks Senators to say to the scientists: You are wrong, scientists. I say leave the science to the scientists and not to the politicians.

At the same time, big oil and their lobbyists will stop at nothing to keep our country's dependence on oil, to have us victimized by people who are not our friends, taking our money and at the same time fouling our air. For too long, they have had our country by the barrel and by the throat.

This resolution is a gift to BP. I don't think BP deserves any contributions from the U.S. Congress or from the American taxpayers right now.

This resolution is a direct attack on the Clean Air Act. For the last 40 years, the Clean Air Act has led to cleaner skies and healthier children. When we strengthened the Clean Air Act, big oil rang an alarm that the changes would cost too much and shut down businesses and put Americans out of work. The actual costs were less than one-fifth of the estimates that were projected.

I ask my colleagues to vote for their family, vote for science, which means to vote against the Murkowski resolution. We have to meet our obligations to future generations, and we have to get serious and solve our Nation's problems and move toward a clean energy future and not more carbon pollution and oil.

I urge my colleagues to please vote for their children, vote for their families, vote no on this resolution and keep the future clean for the sake of our children and grandchildren. Don't worry about the oil companies. They will take care of themselves.

I yield the floor.

Mr. BYRD. Mr. President, anyone who has opened a newspaper or turned on a radio in West Virginia recently is aware of the ongoing discussion about the future of the coal and manufacturing industries. There is no doubt that the West Virginia coal industry and many West Virginia workers have been dealt a difficult hand over the past ten years, and are indeed facing some uncertainty about their futures. Such uncertainty is a pressing public concern for our State—and for many other States—and Senator MURKOWSKI has sought to propose a resolution that she evidently feels would respond to those concerns. However, we need to do something other than hold a political vote on the Murkowski resolution, which has zero prospect of enactment, and which would not alleviate uncertainty about the future even if it did pass the Senate. The Murkowski resolution would only foster confusion. I believe that the best and most practical course of action is for the Senate to pass a bill that provides certainty and real answers for West Virginians and all Americans—a bill that will be passed by the Congress and signed by the President before new requirements that would broadly affect our economy are imposed by regulation.

I understand that the Senate Democratic leadership is willing to move forward on a bill that pre-empts EPA action, and can win 60 votes in the Senate, be approved by the House, and be signed by the President into law. Senator ROCKEFELLER recently proposed legislation to provide a temporary preemption of EPA. I know that I am joined by many others in West Virginia in my belief that the Senate find a way to accomplish that objective—an objective that I know Senator ROCKEFELLER and I both share.

I have recently secured commitments from my fellow Senators to provide on the order of $2 billion for each major power plant that installs clean coal technology during the coming decades—with additional funding available to larger projects. I am also negotiating a commitment to provide the West Virginia region with billions more annually to strengthen new and existing regional businesses, to complete the construction of better highways, and to provide other critical investments to ensure that the next generation of West Virginians will have a bright future at home in the Mountain State. President Obama has also assured me of his ongoing support for these priorities of mine.

The way to ensure that we make these transformative new investments in the future of West Virginia, and in the Appalachian coal industry, is for Congress to do the difficult work of enacting the necessary policies. The Murkowski resolution does not accomplish that objective, and it may even undercut our ability to achieve it. The resolution is an open-ended denunciation of many leading scientific studies and regulatory initiatives. Were it to be enacted, the resolution could actually hamper important Federal initiatives—including rules that will assist in the deployment of clean coal technologies

like carbon capture and storage. I also note that the Murkowski resolution is being considered by the Senate via an unusual legislative process that constrains debate and prohibits Senators from offering amendments.

As I have said before, to deny the mounting science of climate change is to stick our heads in the sand and say ''deal me out'' of the future. But we have also allowed ourselves to ignore other realities. It is a simple fact that the costs of producing and consuming Central Appalachian coal continue to rise rapidly. Older coal-fired powerplants are being closed down, and they appear unlikely to be replaced by new coal plants unless we very soon adopt several major changes in federal energy policy. In 2009, American power companies generated less of their electricity from coal than they have at any other time in recent memory. In the last month alone, two major power companies have reportedly announced that they will idle or permanently close over a dozen coal-fired powerplant units that have consumed millions of tons of West Virginia coal in recent years. Moreover, an even larger portion of America's aging fleet of coal-fired powerplants could be at risk of being permanently closed in the coming years—and the ability to sell coal in those markets could be lost for an indefinite period, if there is no new Federal energy policy to support the construction of new coal plants.

Some companies may feel that it is helpful for Congress to go on denouncing a new energy policy that makes it once more attractive to build new coal plants. But those companies are taking this opportunity to invest in natural gas, or other types of investments. They are not thinking about fighting for the longer term future of coal jobs and other jobs in West Virginia. I am. In the meantime, what happens to the miners, other workers, local governments, and many West Virginia citizens during the course of further delay on a new energy bill? They continue to be laid off, and to struggle with insufficient revenue, and to remain frustrated about their uncertain future.

So, there is a long list of compelling reasons to oppose this resolution, and a rather short list of reasons to support it. For the sake of West Virginia's best interests, and the vital longer-term interests of our Nation and our world, the Senate must now move promptly to take responsible, decisive, and effective action on a moderate but major new energy policy.

Mrs. MCCASKILL. Mr. President, today, we are going to be voting on a significant yet controversial resolution introduced by Senator MURKOWSKI. This resolution, S.J. Res. 26, squarely confronts the issue of how the United States will address the issue of climate change and the regulation of greenhouse gases. The resolution speaks directly to whether or not the Environmental Protection Agency should be allowed to regulate sources of greenhouse gases. This is an important issue for the U.S. Senate to address.

In short, the Murkowski resolution disapproves of EPA's recent endangerment finding that greenhouse gases are a threat to public health. This rule is a result of a 2007 Supreme Court ruling directing EPA to make a determination as to whether or not greenhouse gases are a public endangerment. After 2 years of consideration of the scientific evidence, the EPA found that six greenhouse gases are a threat to public health. Senator MURKOWSKI's resolution would nullify this decision.

While I am sympathetic to the concerns raised by Senator MURKOWSKI, the impact of her resolution would be, among other things, to negate the significant progress the EPA has made in increasing fuel economy standards for vehicles. For that reason I am unable to support it.

Instead, I am working with my colleague, Senator ROCKEFELLER, to pass his bill, S. 3072, of which I am a cosponsor, to preserve the EPA's ability to regulate emissions from vehicles but allow the Congress an additional 2 years to address the regulation of all other sources of greenhouse gases.

Like, Senator MURKOWSKI, I believe that the best way to address climate change is to allow Congress time to pass comprehensive legislation, not rely on regulations handed down by the EPA. A legislative approach would allow us to mitigate what likely would result from EPA regulation of stationary sources: unfair cost increases that will be borne by millions of Americans who have no choice but to rely on energy produced from coal. This is my biggest concern, as eighty-five percent of the energy produced in Missouri comes from coal.

I have long stated that I cannot support an approach to greenhouse gases regulation that will unfairly impact Missourians or unduly harm Missouri's small businesses just because they happen to be in a state that is largely reliant on coal energy. Unfortunately, while the resolution offered by Senator MURKOWSKI is an attempt to give Congress greater time to address these types of concerns in any climate regulation, it also negates a historic agreement between the EPA and the auto industry. This goes too far.

Last year, in an unprecedented announcement, the auto industry agreed to allow the federal government to set new standards for vehicle emissions and worked in concert with the government to set these new standards. This was a model of effective, reasonable negotiated rulemaking and should be embraced, not negated. These new standards will reduce U.S. dependence on foreign oil by a projected 1.8 billion barrels, while providing real benefits for consumers. Compared with today's vehicles, a family purchasing a vehicle under the new standards will save, on average, more than $3,000 on fuel costs over the life of that vehicle. If the Congress passes Senator MURKOWSKI's resolution, it will effectively eliminate these new standards. I believe it would be a mistake to jeopardize the progress we have made with the auto industry, lose the consumer benefits of increased fuel economy and lose the benefit to our national security of reducing our dependence on foreign oil.

This is why I am working with Senator ROCKEFELLER to pass his alternative approach to delay EPA regulation of all other sources of greenhouse gases for 2 years. I believe this is a better option that will not unfairly penalize Missourians. I look forward to working with Senator ROCKEFELLER, as well as Leaders REID and MCCONNELL to secure a vote on this very important legislation.

Ms. MIKULSKI. Mr. President, I rise in opposition to the resolution of disapproval offered by Senator MURKOWSKI. This resolution is a stunning departure from the science of climate change. It jeopardizes our ability to address a continuing threat to our national security and public health by overturning EPA's science-based finding that global warming pollution endangers the public health and welfare. The United States is making progress—in solar, wind and other alternative energy sources—job creators that will sustain our future. We are also making progress in reducing the harmful pollutants in our air which threaten future generations. But this resolution would not continue this progress—it would take us back by weakening the Clean Air Act, a proven tool in addressing air pollution.

But what would taking away EPA's ability to protect the health and welfare of Americans from greenhouse gas pollution mean in our day to day lives? For the people of Maryland, who are particularly vulnerable to the effects of climate change because of the state's expansive coastline, it would mean our coasts would be eroded at an accelerated pace—-many areas losing more than 260 acres a year. It would also mean steadily rising sea levels in Ocean City, which could lose billions of dollars in tourism. And, it would lead to a rise in asthma and lung disease rates, which already disproportionately hits our urban areas, like Baltimore. With these clear threats to our livelihoods, now is not the time to take a major tool out of the toolbox that could help combat the prevalence of greenhouse gases in our daily lives. This is politics as usual in a time where we need solutions.

The resolution being considered today sends the wrong message to the American public, to our businesses and to the world. It sends the message that the U.S. Congress is not taking the threats to our environment seriously. It sends the message to our businesses that it is okay to continue with the status quo. And in a time where we need the innovation, the technology, and the workforce that is committed to transitioning the United States to a

clean energy society, this is not the message that we want to send. The message that we need to send is that we are committed to a national energy policy that protects our families, protects the quality of our air and water, and creates jobs for the 21st century.

The timing of this resolution is also very concerning. In recent weeks, due to the crisis in the gulf, we have seen what our unhealthy addiction to oil can do. This resolution will prevent progress that we have made in breaking this. Without these regulations in place, Americans will use 455 million more barrels of oil, which equals the amount of oil that would be in the gulf if the spill raged on for 65 years. We must break this cycle.

The U.S. Senate must make it clear how we will deal with the reality of climate change. Stripping the authority of the EPA to address the issue is not the way to make progress. Instead it is a serious and counterproductive step backwards. I urge my colleagues to join me in opposing this resolution.

Mr. BUNNING. Mr. President, I rise today to strongly support the senior Senator from Alaska's resolution of disapproval over the Environmental Protection Agency's regulation of greenhouse gas emissions under the Clean Air Act. The EPA has completely overstepped its bounds with this action and I am proud to support Senator MURKOWSKI's effort to undo this harmful regulation.

A colleague of mine, currently serving here in the Senate, once remarked that: ''Overburdensome and unnecessary Federal regulations can choke the life out of small businesses by imposing costly and often ineffectual remedies to problems that may not exist.''

This statement was made by the majority leader and I could not agree more with it, especially when staring such a problem in the face as we have here with EPA's draconian new rules. The majority leader's statement was made in 1996 shortly after passage of the Congressional Review Act. This important tool, designed to rein in out of control Federal bureaucracies, is the same tool that we are using today in this disapproval resolution currently being debated.

Make no mistake—the Congressional Review Act was designed to take on this exact sort of executive overreach. The Obama administration's EPA is making a huge power grab by twisting the principles of the landmark Clean Air Act and declaring greenhouse gas emissions a danger to public health and welfare. Now, I will not use this time today to debate the science of greenhouse gas effects on climate change, nor the effects of climate change on the planet. However, greenhouse gases are found naturally in abundance in our atmosphere. In fact, the most famous greenhouse gas, carbon dioxide, is emitted whenever we exhale. The purpose of the Clean Air Act was to reduce substances toxic to humans, not substances that are not directly harmful to us.

Because the Clean Air Act was not designed for this kind of regulation, the actions EPA has taken will not work and will have a devastating effect on the economy and business in the United States. Carbon dioxide will be considered a ''regulated air pollutant'' under these regulations, thus requiring EPA to massively increase the number of entities it will regulate. In fact, the number of permits for new or modified construction will soar from 280 to 41,000. The additional Title V permits, which are required to begin these operations, will explode from 14,700 to 6.1 million applications. This would seem to me to be a regulatory burden on an agency that cannot possibly be met without a massive infusion of taxpayer dollars.

Thus, we know that an enormous amount of new entities will come under the regulation of the Clean Air Act. Who will be newly roped into this government regulation? Essentially anyone, such as office buildings, apartment complexes, large retail stores, small businesses, farms, hospitals, power plants, and schools. It is difficult to fathom just how massively intrusive this Federal expansion will be.

This action by EPA also represents a rule by fiat of government bureaucrats. The Clean Air Act as written makes no mention of addressing global warming. To change this, the elected representatives of the people, Congress, should be the ones making the decision, not unelected bureaucrats in Washington. When Congress considers legislation, the people who elected them expect that they will consider all the effects of what is being debated. The EPA does not have this consideration, which is obvious by the way they have completely disregarded any and all of the economic consequences of their actions. Congress does, though, and has to weigh the effects of policies upon those that they will be implemented on. Elected officials need to be responsive to legislation such as this that will prevent the strengthening and recovery of the American economy. For instance, Congress can factor in the extremely poor timing of this as our economy is trying to drag itself out of recession. However, proponents of this regulation in the Obama administration know it will not pass Congress, so they are trying to do it by bureaucratic fiat instead of letting the elected representatives of the people work out a reasonable compromise to the problem.

It is for these reasons that I strongly support the Murkowski resolution of disapproval over EPA's actions. I hope the majority leader remembers what he said almost 15 years ago about the burdens of unnecessary regulation and the use of these sorts of resolutions. I hope our other colleagues heed his advice, as I intend to, and vote to support this resolution.

Mr. DODD. Mr. President, I rise today to express my strong opposition to S.J. Res. 26, which would invalidate the EPA's endangerment finding for greenhouse gas emissions issued last December. This disapproval resolution is the absolute wrong approach to energy and climate policy in this country. Not only does it fly in the face of the science currently available on this issue, but it also ties our hands at a critical moment when we should be exploring every option available to us for mitigating the potentially disastrous environmental, economic, and national security-related effects of climate change.

The scientific evidence currently surrounding our planet's changing climate could not be clearer, or the need to address it more urgent. There is broad consensus in the scientific community that most of the rise in global average temperatures since the mid-twentieth century is due to human activity and that this warming trend could have potentially far-reaching consequences for the environment, agriculture, and public health. The EPA's endangerment and cause or contribute findings, which state that greenhouse gas emissions threaten public health and that emissions from new motor vehicles regulated under the Clean Air Act contribute to climate change, unequivocally reflect this longstanding scientific consensus. Indeed, the EPA's conclusions are based on empirical assessments from such highly respected, nonpartisan institutions as the U.S. Global Climate Research Program and the National Research Council.

Nevertheless, in spite of the veritable mountain of evidence demonstrating that we need to immediately begin addressing this challenge, my colleagues on the other side of the aisle have chosen to ignore the available science and bury their heads in the sand by supporting this ill-conceived disapproval resolution. They are, in effect, voting to continue the failed policies of the Bush administration, which for 8 long years ignored sound science, ridiculed good policy, and relegated the U.S. to the back bench in the race to develop and deploy clean, renewable sources of energy.

This is not a path on which we can afford to continue. As the ongoing tragedy in the Gulf of Mexico clearly shows, our Nation's failure to comprehensively address climate change and free our country from its addiction to oil and other fossil fuels poses a serious threat to our economy and the public's well-being. It is now time for the United States to take a leading role in this effort—to reach into the deep well of technical expertise and ingenuity of its citizens—and build a new, clean energy economy that will create new jobs and help rescue the planet from some of the most deleterious impacts of climate change.

Today we are presented with a choice. Do we acknowledge the scientific near-certainty of climate change and the critical role the EPA must play in addressing it? Or do we hamstring our Nation's environmental

experts, gut a national oil savings program, and reject sound science? We must send a strong message to the American people and the rest of the world that the United States is fully committed to robustly confronting climate change and pioneering new, innovative approaches to energy policy that move our country away from its dangerous overreliance on fossil fuels. I urge my colleagues to reject this misguided legislation.

Mr. LEVIN. Mr. President, our Nation is not lacking in complex challenges. But among the most complex and difficult is this: How can we deal with the reality of climate change while also strengthening an economy that has depended for so long on fossil fuels? There is no denying the difficulty of meeting those often conflicting goals. The resolution before us purports to respond to this challenge, but I cannot support the approach that Senator MURKOWSKI offers. Let me explain why.

Senator MURKOWSKI offers a resolution of disapproval of the Environmental Protection Agency's endangerment finding regarding the harmful effects of greenhouse gas emissions. This resolution's impact would be to block EPA from implementing that rule.

First, I believe we all should understand that the subject of this resolution—EPA's endangerment finding—is a product of scientific review of the facts regarding climate change. Current law, and a decision by the U.S. Supreme Court, require EPA to act in the face of these facts. If you believe in the science, as I do, then you must either acknowledge EPA's responsibility to act or seek to change the law that imposes that responsibility.

Second, as a practical matter, I am afraid this resolution, if enacted, would have an effect quite different from its sponsors' stated intent. The argument in favor of the resolution is that EPA regulation of greenhouse gases would unwisely harm our economy. In fact, for my State, passage of this resolution more likely would produce economic harm. That is because it would undo a carefully crafted agreement among the Federal Government, auto manufacturers, environmental groups and others, reached more than a year ago, relating to national greenhouse gas emissions standards for vehicles. This agreement resulted in a single, national standard for such emissions, binding on all States through 2016. The certainty and predictability of a binding national standard is vital for vehicle manufacturers. To help them pursue the path to a clean-energy future, that path must be clearly marked, and not confused by the myriad of different turns they would face if individual states are allowed to set their own standards.

EPA at one point granted California a waiver permitting that State to separately regulate greenhouse gas emissions from mobile sources. California officials have agreed, for 2010 to 2016, to a joint NHTSA–EPA process for regulating carbon emissions from vehicles. If the Murkowski resolution is enacted, California would presumably act to use its waiver, and other States would follow. The economic impact of varying State regulation would harm manufacturers that are the economic backbone of many States and communities across this Nation. Auto manufacturers and auto workers have made clear, in letters to the Congress, their concerns that the result of this resolution's passage would be to upend a clear national standard binding on all States. While the supporters of this resolution may not intend such a consequence, it is surely there, and that is why I cannot support this resolution.

Let me also take this opportunity to point out that my commitment to a single national emissions standard that is binding on all States also leads me to oppose the Kerry-Lieberman climate change bill in its current form. Why? Because carbon dioxide is a global problem. The threat of greenhouse gas emissions is not unique to any State. There is an urgent need for government action to confront the problem of carbon dioxide, but the need is for strong national and international action. To suggest that the need is different from one side of a State line to the other actually undermines the argument that carbon dioxide is a global threat that knows no boundaries.

Just as vehicle manufacturers and workers have made clear their concerns that the Murkowski resolution threatens a single, binding national standard, they have also made clear their concerns about the effects of the Kerry-Lieberman bill as currently written. As the United Auto Workers Union has pointed out in a letter to Senators, that proposal ''fails to provide regulatory predictability for the automotive sector because it does not require continuation of the Obama administration's historic achievement in promulgating one national standard for greenhouse gas emissions and fuel economy for light duty vehicles.'' The UAW is right. The Kerry-Lieberman bill, while hinting that there should be a single national standard, does not commit the Nation to such a standard. In order to gain my support, it must include such a commitment.

So, let no one misunderstand my vote today. I oppose the Murkowski resolution because it will unravel the agreement on a single national carbon standard for mobile sources binding on all States through 2016. I also oppose the Kerry-Lieberman bill as currently drafted because it does not ensure such a standard beyond 2016.

I ask unanimous consent that several letters be printed in the RECORD.

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

ALLIANCE OF
AUTOMOBILE MANUFACTURERS,
Washington, DC, March 17, 2010.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.
Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.
Hon. JOHN BOEHNER,
Minority Leader, House of Representatives,
Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR SPEAKER PELOSI, LEADER REID, LEADER BOEHNER, AND LEADER MCCONNELL: On behalf of the Alliance of Automobile Manufacturers and its 11 member companies, I am writing to express concern over proposed Resolutions of Disapproval that would overturn the Environmental Protection Agency's Endangerment Finding on greenhouse gas emissions. Automakers agree with the fundamental premise that Congress should determine how best to reduce greenhouse gas emissions. However, if these resolutions are enacted into law, the historic agreement creating the One National Program for regulating vehicle fuel economy and greenhouse gas emissions would collapse.

At this time last year, the auto industry faced the alarming possibility of having to comply with multiple sets of inconsistent fuel economy standards. First, NHTSA was in the process of promulgating new fuel economy standards as required by Congress under the Energy Independence and Security Act of 2007. Second, EPA was preparing to propose greenhouse gas standards under the Clean Air Act, in the wake of the Supreme Court's decision in Massachusetts v. EPA. Finally, California and 13 other states were planning to enforce their own state-specific greenhouse gas standards. (As a practical matter, greenhouse gas standards are the functional equivalent of fuel economy standards, since the amount of greenhouse gases emitted by a vehicle is proportional to the amount of fuel consumed.) These multiple standards would not have been aligned with each other, presenting all automakers with a compliance nightmare across the country. The state-by-state standards were especially problematic for the industry, as manufacturers generally faced the likely prospect of having to implement product restrictions in some states, but not others, in order to comply. Clearly, the industry wanted—then and now—a ''one regulation fits all'' resolution to this problem.

To achieve that result, the Obama Administration brokered a historic agreement in May 2009 to create the One National Program for fuel economy and greenhouse gas standards. Under that agreement, NFITSA and EPA committed to coordinate their rulemaking processes and promulgate a joint regulation establishing consistent fuel economy and greenhouse gas standards for the 2012–2016 model years. California agreed that manufacturers who complied with the federal greenhouse gas rules would be deemed to be in compliance with the state standards for model years 2012–2016. The auto industry agreed to suspend litigation seeking to overturn the state standards, and ultimately to dismiss such litigation once the conditions agreed to by the manufacturers have been met.

In a letter to Senator Rockefeller dated February 22, 2010, Administrator Jackson stated that the disapproval resolutions would have the unintended effect of ''prevent[ing] EPA from issuing its greenhouse gas standard for light-duty vehicles, because the endangerment finding is a legal prerequisite of that standard.'' This, in turn,

would likely result in the disintegration of the One National Program agreement. It is our understanding that California would not abide by the agreement if EPA is unable to regulate greenhouse gases. If the One National Program agreement were dissolved, the manufacturers would be back where they started last May with a NHTSA regulation coupled with a patchwork of states adopting regulations inconsistent with NIITSA's. As we stated in a letter to Senator Feinstein on September 24, 2009, this would present a myriad of problems for the auto industry in terms of product planning, vehicle distribution, adverse economic impacts and, most importantly, adverse consequences for their dealers and customers.

The Alliance believes that the One National Program resolution fostered by the Obama Administration is critical to the efficient regulation of motor vehicle greenhouse gas emissions and related fuel economy in the United States, not only for the 2012–2016 model years, but also for the 2017 model year and beyond. The ongoing existence of a national program for motor vehicle fuel economy and greenhouse gas standards for all future model years should be the shared goal of not only the Administration and the industry, but also Congress and the States, for the benefit of the environment, the public, and the ability of the industry to create and maintain high quality jobs.

It is time for Congress and the Administration to enact and implement measures to make a national program permanent for 2017 and beyond. However, given what appears to be the inevitable consequence of the proposed Resolutions of Disapproval, we do not believe they are the proper vehicles for Members of Congress to express their legitimate concern that Congress, and not EPA or the states, design the national response to climate change. Instead we urge Congress to move quickly to ensure that the national program does not end in 2016, and we stand ready to work with members to develop a federally-led process to achieve a permanent national program.

Thank you for the opportunity to explain the impact of these resolutions on the auto industry. Please feel free to contact me if you have any questions or need additional information.

Sincerely,

DAVE MCCURDY.

INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA,

Washington, DC, June 7, 2010.

DEAR SENATOR: This week the Senate may take up Senator Murkowski's disapproval resolution that would overturn the EPA's endangerment finding on greenhouse gas emissions. The UAW opposes this misguided effort and urges you to vote against this disapproval resolution.

In our judgment, Congress should move forward to enact comprehensive climate change legislation that will reduce greenhouse gas emissions. Although we recognize the difficulties involved in this effort, we believe that legislation can be crafted that will reduce global warming pollution while at the same time creating jobs and providing a boost to our economy. In particular, we believe such legislation can help to provide significant investment in domestic production of advanced technology vehicles and their key components, as well as other energy saving technologies. But such progress would be undermined if a disapproval resolution were to overturn EPA's endangerment finding.

The UAW understands the concerns that have been expressed about EPA attempting to use its authority under the Clean Air Act to regulate greenhouse gas emissions from various industries. However, we believe the best way to address these concerns is for Congress to move forward with comprehensive climate change legislation that properly balances concerns of various regions and sectors, and establishes a new coherent national program to combat climate change.

The UAW also is deeply concerned that overturning EPA's endangerment finding would unravel the historic agreement on one national standard for fuel economy and greenhouse gas emissions for light duty vehicles that was negotiated by the Obama administration last year. As a result of this agreement among all stakeholders, NHTSA and EPA engaged in a joint rulemaking effort that will result in significant reductions in fuel consumption and greenhouse gas emissions by 2016. At the same time, these joint rules retain the structural components that Congress enacted in the 2007 energy legislation, thereby providing important flexibility to full line manufacturers and a backstop for the domestic car fleet. Most importantly, California and other states have agreed to forgo state-level regulation of tailpipe emissions and abide by the new national standard that has been created by these NHTSA and EPA rules. This will avoid the burdens that would have been placed on automakers if they had been forced to comply with a multitude of federal and state standards. The UAW is very pleased that all stakeholders recently agreed to continue efforts to extend this national standard from 2016 to 2025.

However, the critically important progress that has been achieved with these historic agreements will be undermined if EPA's endangerment finding is overturned. Without this finding, EPA may not be able to implement the current rule on light duty vehicles. In the absence of the EPA standard, California and other states could move forward with their standards, thereby subjecting auto manufacturers to all of the burdens that the one national standard was designed to avoid.

For all of these reasons, the UAW opposes Senator Murkowski's disapproval resolution that seeks to overturn EPA's endangerment finding. We urge you to vote against this measure. Thank you for considering our views on this important issue.

Sincerely,

ALAN REUTHER,
Legislative Director.

INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA,

Washington, DC, May 19, 2010.

DEAR SENATOR: Last week Senators Kerry and Lieberman released a discussion draft of far reaching climate change legislation entitled the ''American Power Act.'' The UAW supports the enactment of an economy-wide program to reduce greenhouse gas emissions. However, we were deeply disappointed with the Kerry-Lieberman proposal. In our judgment, the Senate should insist that a number of significant problems in this proposal must be corrected before it moves forward.

First, although the American Power Act contains a program to encourage investment in the domestic production of clean vehicles and their key components, it fails to provide adequate funding for this program. Significantly, the funding (through the allocation of carbon allowances) is lower than the funding that was provided for similar programs in the original Boxer-Kerry bill and the Waxman-Markey bill that passed the House. Thus, the American Power Act represents a step backwards on this important issue.

The UAW believes that substantially higher funding levels are justified, both by the enormous contribution that clean vehicles will be making to the reduction in greenhouse gas emissions, and by the much higher costs associated with these emission reductions compared to costs in other sectors. We also believe that higher funding levels are needed to ensure that the vehicles of the future will be produced in this country by American workers by building on the success of the existing manufacturers' incentive program.

Second, the American Power Act fails to provide regulatory predictability for the automotive sector because it does not require continuation of the Obama administration's historic achievement in promulgating one national standard for greenhouse gas emissions and fuel economy for light duty vehicles. Instead, it would allow auto manufacturers to be subjected to conflicting federal and state standards. The UAW believes that this also represents a step backwards.

Third, the American Power Act fails to provide regulatory predictability for businesses in general because it would allow states to require companies to surrender federal carbon allowances. This represents a back door means of allowing individual states to de facto lower the federal cap on carbon emissions, and to shift the burdens imposed on different regions and sectors under the federal climate change program. In addition to introducing an enormous element of uncertainty, the UAW is deeply concerned that this will lead to economic warfare between the states.

Fourth, the American Power Act fails to protect American businesses and workers from unfair foreign competition because the border adjustment provisions allow for too much discretion, and thus may never be invoked. Furthermore, the border adjustment provisions do not apply to finished products that contain large amounts of energy-intensive materials, such as motor vehicles and their parts, and hence would not provide any protection for the domestic auto industry.

Fifth, the American Power Act does not contain any program to provide assistance to dislocated workers and communities. The transition to a clean-energy economy will inevitably cause some dislocation. In our judgment, a portion of the revenues generated by the climate change program should be earmarked to assure that adequate assistance is made available to workers and communities that are adversely impacted by this transition.

The UAW strongly urges the Senate to insist that the foregoing defects in the American Power Act must be fixed before this legislation moves forward. Thank you for considering our views on these important issues.

Sincerely,

ALAN REUTHER,
Legislative Director.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I thank my colleague. How much time remains on our side?

The PRESIDING OFFICER. There are 14½ minutes remaining.

Mrs. BOXER. Mr. President, I am going to wrap it up in about 10 minutes and then go to the vote.

Before the Senator from New Jersey leaves the floor, if I may have his attention, I thank him so much. He put this whole vote in the exact right perspective. Big oil supports the Murkowski resolution. That is a fact. They have sent a letter saying they support the Murkowski resolution.

Why do you think they support the Murkowski resolution? The reason is,

this resolution would repeal, overturn, do away with the endangerment finding made by the Environmental Protection Agency that says that carbon pollution is a danger to our families, to their health.

Senator LAUTENBERG just said it from the heart. If ever there was a vote to find out whose side you are on, this is it. What could be clearer?

Let's put up a chart. Let's look at some of the public health organizations that are opposing the Murkowski resolution. I will only list a couple of them: The American Academy of Pediatrics—they know that carbon is a danger to our children—the Children's Environmental Health Network; the American Nurses Association; the American Lung Association; the American Public Health Association.

Whose side do you want to be on? We had a letter from 1,800 U.S. scientists, from the Union of Concerned Scientists. Do you want to be on the side of the special interests or do you want to be on the side of the children and the families and the people who gave their whole professional careers to protecting the health of our families?

This is one of those votes. This is what we call a turning-point vote in everyone's career. When we look back at this vote, our grandchildren will want to know: Where was the Senate on this important vote?

We know this resolution is opposed by America's leading public health experts. They do not want us to repeal a health finding. What is next? Somebody else will have a brilliant idea to repeal a scientific finding that nicotine causes cancer. Oh, we can debate that. What is next?

Someone else will say: Lead is no problem in paint. Let's repeal that finding. Think of all the children who would be adversely impacted with brain damage if we did that.

The choice is with Senators: Stand with big oil or stand with the children, the families, the doctors, the public health people. This is a moment in time.

There may not be bipartisan opposition on this floor. I think the vast majority of my Republican friends are going to support Senator MURKOWSKI. But look at the outside world where we are getting support for our side.

EPA Administrators under Nixon, Ford, and Reagan oppose the Murkowski resolution. People forget, the environment used to be an issue that was bipartisan. The EPA—that has been so criticized by my Republican friends—was created by Richard Nixon, was supported by Gerald Ford and Ronald Reagan. What has happened? How did this happen? I think it goes back to politics and special interests and the money that flows in here.

But that is another debate for another time. Today, we have a very simple proposition before us in the Murkowski resolution: Should we repeal the health finding and the scientific finding that is the basis for regulating greenhouse gas emissions?

Ronald Reagan's EPA Administrator, Richard Nixon's EPA Administrator, Ford's—Russell Train, William Ruckelshaus—very strongly opposed. They urge the Senate to reject this and any other legislation that would weaken the Clean Air Act or curtail the authority of the Environmental Protection Agency to implement its provisions.

It is the Environmental Protection Agency—the EPA—not the environmental pollution agency. If somebody wants to turn it into that, they ought to come here and make that proposal. We can debate it.

There is enough pollution in the gulf to teach us a lesson today. How ironic that this is coming before us.

How about jobs? The people on the other side say supporting the Murkowski resolution is supporting jobs. That is false. The U.S. automakers oppose the Murkowski amendment. They say it will lose jobs. If these resolutions are enacted, the historic agreement creating the one national program for regulating vehicle fuel economy would collapse.

We are finally getting the U.S. auto industry on its feet. With the Murkowski resolution, if it became law, that is all over and our auto industry will falter again.

The auto workers also come out against the Murkowski resolution. They are deeply concerned that overturning this endangerment finding would unravel the historic agreement on one national standard for fuel economy and greenhouse gas emissions.

If you haven't been convinced on the jobs question in the auto industry, if you are not convinced on the health argument, let's look at a statement made by 33 U.S. generals and admirals. Climate change is making the world a dangerous place, threatening our security.

I don't have time to read every word, but it says the State Department, the National Intelligence Council, the CIA, all agree and are all planning for future climate-based threats. America's billion-dollar-a-day dependence on oil makes us vulnerable to unstable and unfriendly regimes.

We have a list of the people who signed onto that. I will just read a few, and I ask unanimous consent to have printed in the RECORD this document.

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

CLIMATE CHANGE IS MAKING THE WORLD A MORE DANGEROUS PLACE

It's threatening America's security. The Pentagon and security leaders of both parties consider climate disruption to be a ''threat multiplier''—it exacerbates existing problems by decreasing stability, increasing conflict, and incubating the socioeconomic conditions that foster terrorist recruitment. The State Department, the National Intelligence Council and the CIA all agree, and all are planning for future climate-based threats.

America's billion-dollar-a-day dependence on oil makes us vulnerable to unstable and unfriendly regimes. A substantial amount of that oil money ends up in the hands of terrorists. Consequently, our military is forced to operate in hostile territory, and our troops are attacked by terrorists funded by U.S. oil dollars, while rogue regimes profit off of our dependence. As long as the American public is beholden to global energy prices, we will be at the mercy of these rogue regimes. Taking control of our energy future means preventing future conflicts around the world and protecting Americans here at home.

It is time to secure America with clean energy. We can create millions of jobs in a dean energy economy while mitigating the effects of climate change across the globe. We call on Congress and the administration to enact strong, comprehensive climate and energy legislation to reduce carbon pollution and lead the world in clean energy technology.

Lieutenant General Joseph Ballard, US Army (Ret.); Lieutenant General John Castellaw, USMC (Ret.); Lieutenant General Robert Gard, Jr., Army (Ret.); Lieutenant General Claudia Kennedy, US Army (Ret.); Lieutenant General Don Kerrick, US Army (Ret); Lieutenant General Frank Petersen, USMC (Ret.); Lieutenant General Norman Seip, USAF (Ret.); Vice Admiral Donald Arthur, US Navy (Ret.); Vice Admiral Kevin Green, US Navy (Ret); Vice Admiral Lee Gunn, US Navy (Ret); Major General Roger Blunt, US Army (Ret.); Major General George Buskirk, US Army (Ret); Major General Paul Eaton, US Army (Ret.); Major General Donald Edwards, US Army (Ret); Major General Paul Monroe, US Army (Ret); Major General Tony Taguba, US Army (Ret); Rear Admiral John Hutson, JAGC, US Navy (Ret.); Rear Admiral Stuart Platt US Navy (Ret.); Rear Admiral Alan Steinman, US Coast Guard (Ret.); Brigadier General John Adams, US Army (Ret); Brigadier General Stephen Cheney, USMC (Ret); Brigadier General John Douglass, US Air Force (Ret.); Brigadier General Michael Dunn, US Army (Ret.); Brigadier General Pat Foote, US Army (Ret); Brigadier General Larry Gillespie, US Army (Ret); Brigadier General Keith Kerr, US Army (Ret.); Brigadier General Phil Leventis, USAF (Ret); Brigadier General George Patrick, III, USAF (Ret); Brigadier General Virgil Richard, US Army (Ret); Brigadier General Murray Sagsveen, US Army (Ret.); Brigadier General Ted Vander Els, US Army (Ret); Brigadier General John Watkins, US Army (Ret); Brigadier General Steve Xenakis, US Army (Ret.).

Mrs. BOXER. Mr. President, this is a list of lieutenant generals, vice admirals, major generals, rear admirals, brigadier generals—and all of them real patriots—saying to us: We cannot become more dependent on oil, and as a result of this Murkowski resolution, that is what would happen.

How much more do we want to spend on importing foreign oil? We are up to a billion dollars a day, and it is going to people who don't care for us very much, in case you didn't notice that. We want to get off foreign oil. We want to unleash the capital in our own country. And our own businesses are telling us this—that those dollars would come in if in fact we move forward and enact legislation that makes sense. The Murkowski resolution would simply stop us in our tracks.

More than a thousand businesses have weighed in against the Murkowski resolution—a thousand businesses. The resolution would eliminate

incentives for innovations that could drive a clean energy economy. The Murkowski resolution would send the wrong signal to the American business community. That is signed by an organization representing 850 business leaders. The resolution will jeopardize and hinder progress. That is signed by Business for Innovative Climate and Energy Policy. Then the Silicon Valley Leadership Group, on behalf of 320 member companies, opposes the resolution from Senator MURKOWSKI. The member companies in the leadership group provide nearly 250,000 local jobs or one out of every four private-sector jobs in Silicon Valley.

So whether you are voting on this on the basis of the health of our children, whether you care about the auto companies, whether you care about jobs and the rest of the economy and the ability of this economy to create good jobs or because you feel we need to get off our billion-dollar-a-day habit of importing oil, you have a lot of important issues to think about.

I want to close with looking at something no one wants to look at—no one can bear to look at. If anyone thought that carbon isn't a danger, look at what carbon pollution is doing on the ground in the gulf region—in the water, on the beaches, in the marshlands. Do you think that a pollutant like this, when it goes in the air, causes no problem?

There was a cartoon in today's paper that showed a cap going over the well—which we all hope is going to succeed—and out of that well is escaping some of the carbon pollution. It is going into the air and under it, it says: Now it is no problem.

My colleagues of the Senate, this is a point in time we have to make a decision. We are not experts in public health here. We chose as our career to say that we want to be on the side of the people who send us here. This is the moment. Choose sides: It is big oil and all that comes with it and all the polluters or it is protecting our families.

I urge a no vote to proceed to this resolution, and I ask that the regular order occur on the vote at this time.

I yield back the remainder of my time, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to proceed to S.J. Res. 26.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 47, nays 53, as follows:

[Rollcall Vote No. 184 Leg.]

YEAS—47

Alexander	Chambliss	Enzi
Barrasso	Coburn	Graham
Bayh	Cochran	Grassley
Bennett	Collins	Gregg
Bond	Corker	Hatch
Brown (MA)	Cornyn	Hutchison
Brownback	Crapo	Inhofe
Bunning	DeMint	Isakson
Burr	Ensign	Johanns
Kyl	Murkowski	Shelby
Landrieu	Nelson (NE)	Snowe
LeMieux	Pryor	Thune
Lincoln	Risch	Vitter
Lugar	Roberts	Voinovich
McCain	Rockefeller	Wicker
McConnell	Sessions	

NAYS—53

Akaka	Feinstein	Mikulski
Baucus	Franken	Murray
Begich	Gillibrand	Nelson (FL)
Bennet	Hagan	Reed
Bingaman	Harkin	Reid
Boxer	Inouye	Sanders
Brown (OH)	Johnson	Schumer
Burris	Kaufman	Shaheen
Byrd	Kerry	Specter
Cantwell	Klobuchar	Stabenow
Cardin	Kohl	Tester
Carper	Lautenberg	Udall (CO)
Casey	Leahy	Udall (NM)
Conrad	Levin	Warner
Dodd	Lieberman	Webb
Dorgan	McCaskill	Whitehouse
Durbin	Menendez	Wyden
Feingold	Merkley	

The motion was rejected.

Mrs. BOXER. Madam President, I move to reconsider the vote.

Mr. MENENDEZ. I move to lay that motion upon the table.

The motion to lay upon the table was agreed to.

MORNING BUSINESS

Mrs. BOXER. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each, and that I be recognized to make some remarks after this very historic vote.

The PRESIDING OFFICER (Mrs. SHAHEEN.) Without objection, it is so ordered.

RESOLUTION OF DISAPPROVAL

Mrs. BOXER. Madam President, I wish to thank my colleagues from the bottom of my heart for this vote. This was, in many ways, a turning point for the Senate, because what was before us was unprecedented, the first time we had ever been asked to repeal a health finding, a scientific finding, a finding that was made by scientists and health officials in the Bush administration and the Obama administration.

That finding, as we know, is the predicate, is the basis for curbing pollution, carbon pollution, that we know is harmful to our families. We see what carbon pollution is doing in the gulf, to the wildlife. We know what it is doing to an entire way of life. We know what it is doing to the fishermen, to the people who rely on recreation for jobs, to the people who rely on tourism.

Tonight we had a choice. We could have decided to stand with the polluters, big oil mostly, who were behind the Murkowski resolution, or we could have decided, which we did, to stand with those who are looking out for our kids, the doctors, the physicians who treat them, the pediatricians, the Lung Association, the public health agencies in all of our States.

We did the right thing, and this was important. It also means we are going to move to alternative energy. We are going to move to the millions of jobs that will come about when we have technologies made in America for America. I want to see the words ''Made in America'' again. So we are on that path right now.

I want to thank the extraordinary leadership of our leaders, Senators REID and DURBIN. They went that extra mile. I want to thank the staff of the Environment and Public Works Committee, headed by Bettina Poirier, extraordinary staff. I want to thank the cloakroom here and all the people here who helped us make sure that every Senator was able to be heard.

Senator MURKOWSKI and I worked very well together debating this in a civil manner. I want to say, as I note Senator LAUTENBERG standing here, I felt the moment this debate came together was when he came to the floor to make a statement, brief though it was. He talked to us not from his notes but from his heart, about what it means to him as a grandparent to watch a grandchild suffer and struggle through asthma, and as he has noted on this floor on more than one occasion, his family making sure that when this child plays in an athletic tournament or goes somewhere, how close is the emergency room.

This is what we are dealing with today, pollution. And today we said: We stand with the physicians, we stand with the scientists, and we are going to move forward toward a clean energy economy and all of the jobs that will come with it, and all of the technologies that will make America a leader in the world.

At this time I yield the floor to my friend Senator DURBIN.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I ask unanimous consent to speak as in morning business.

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

(The remarks of Mr. DURBIN pertaining to the submission of S. Res. 549 are located in today's RECORD under ''Submission of Concurrent and Senate Resolutions.'')

THE NATIONAL DEBT

Mr. BROWN of Massachusetts. I want to shift gears and kind of get back to business a little bit. Today, I rise to discuss the extension bill we are considering on the floor of the Senate. I will be brief.

As you know, this week our national debt crossed the $13 trillion mark and is on pace to reach almost $20 trillion by the year 2015. That is $20 trillion with a T.

Let's stop for a minute and take note of that amazing number. I know I am the new guy around here, and I will probably be racing you home in a little bit to get back to Massachusetts and New Hampshire, Madam President. But in my short time in Washington, it has been a little unsettling to hear the

words like ''billion'' and ''trillion'' thrown with little regard to the impact these incredible numbers have on our economy, both now and in years to come.

For example, yesterday the Federal Reserve Chairman warned us that the federal budget is on an unsustainable path. In 1987, when the national debt was approaching $1 trillion, then-President Ronald Reagan called it ''out of control.'' One can only imagine what he would be saying today.

Some on the other side of the aisle argued that voting against the debt extenders is about partisan politics and that borrowing another $80 billion from China to pay for these programs is somehow just another drop in the bucket.

I have to respectfully disagree. That could not be further from the truth. When, if not now, when our Nation's debt is growing at a record pace with no end in sight, will we as elected officials start standing up and making the hard decisions we were sent here to make? Today I am saying to my colleagues: Please start to tear down the terrible prison of debt we are building for our children, our grandchildren, and our great-grandchildren. We need to start finding ways to pay for things and stop spending so much, stop treating everything as an emergency to try to get around the pay-go rules put in place before I got here.

If we continue down this path of reckless spending and borrowing, I believe—and others do throughout the country—the consequences are dire. To be blunt, the push for higher taxes and more dependence on government debt threatens American leadership in the world as well as our national and economic security. As we continue to borrow more and more from countries that are not necessarily friendly to us, it leads us down a path similar to what we are seeing with the European model as it is decaying before our very eyes.

Look at Greece right now, where unchecked government spending has threatened the financial stability of the entire European Union. We are at a point where soon our excessive level of debt will start to hinder the economic growth we so desperately need to get the economic engine moving and continue to create jobs and be competitive.

Make no mistake, I believe we should temporarily extend unemployment benefits and other measures such as the summer jobs program and address the critical issue of lack of jobs for American citizens. We can and should provide temporary relief for the neediest among us, but we need to find a way to pay for it without taxing or resorting to borrowing more money. The fact is, we could easily pay for these extensions by cutting unnecessary spending such as the nearly $50 billion of unused, unallocated, or unobligated stimulus funds. Instead we are raising permanent taxes by more than $50 billion extra, including taxes on entrepreneurial businesses and investors, the venture capitalists that hope to be the economic engine and job creators of tomorrow.

The administration and the majority party say these taxes are necessary to help to partially offset this extension, but these taxes are necessary because of our reckless spending habits. During the last 18 months, this administration and the Congress have spent more money than the previous administration spent on Iraq, Afghanistan, and the Katrina recovery combined. It was with straight faces they promised to usher in a new era of fiscal responsibility.

Last year the President and the Congress pushed through an Omnibus appropriations bill that included an 8-percent increase in discretionary spending. This was followed by the infamous, nearly trillion-dollar stimulus bill that has not created one new net job. In fact, the unemployment rate in Massachusetts alone since its passage has increased. The President signed another omnibus spending bill with a 12-percent annual increase and jammed through the trillion-dollar, government-run health care bill that was at great cost and clearly was opposed by the American people.

The problem is on both sides of the aisle. The President has said he would like to go through the Federal budget line by line and identify wasteful programs. By golly, let's do it. Let's do a top-to-bottom review of every Federal program, weed out the waste and fraud and put what is left over to help with these needed programs. In his budget, the President has identified programs to terminate and cuts that would save nearly $25 billion next year. Let's do it. This could help pay for some of these emergency extensions.

Yet year after year, Congress continues to earmark their special pet projects within the budget without any hope for any type of termination of that practice.

In addition, we need to do a top-to-bottom review of all Federal programs, including the military, and we must get aggressive about reining in waste, fraud, and abuse and demand a clawback of some of the billions in overpayments made to Federal contractors that have been owed to us for many years. Let's use that money to help offset the amount we are trying to pay in the extenders bill. Fraud in Medicare and Medicaid costs the taxpayers more than $60 billion annually, and the GAO has investigated numerous programs that are failing to fulfill their missions. Yet more money from Congress is given to them each year, year after year. No respectable business would be run this way, not in Massachusetts, not in New Hampshire, not anywhere.

There is no shortage of ways Washington can rein in its excessive spending habits while also funding these worthwhile programs. But it is going to require elected officials to make hard and even sometimes unpopular choices. If we begin using commonsense steps to get our fiscal house in order, we can absolutely put our country back on a path to fiscal security, get back to fiscal sanity, and get our appetite for spending and borrowing under control. Both are crucial for the fiscal and economic stability of our country.

We can start down the path today by saying no to the extender bill that would add close to $80 billion to our over $13 trillion national debt right now, an amount we cannot afford and something our children, grandchildren, and great-grandchildren will be forced to pay back.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

CALL TO ACTION

Mr. FRANKEN. Madam President, I rise to speak about the BP Deepwater Horizon oilspill and the need for comprehensive energy legislation.

We just defeated a resolution that was an attempt to take our country backward in our energy policy at a time when moving forward could not be more critical. We are in the midst of the worst environmental catastrophe in our Nation's history. This oilspill is a tragedy—a tragedy for our environment; our wildlife, which is dying in a coat of crude; a tragedy for the people of the gulf whose land and livelihood have been destroyed and threatened; and a tragedy for the workers on that oil rig who were killed or injured and their families.

My constituents are furious, and so am I. I have gotten over 5,000 calls and letters from Minnesotans demanding action and accountability for this disaster.

Well, let there be no question: BP, British Petroleum, will be held responsible for all costs incurred as a result of this oilspill. The company had no viable plan in place to deal with a spill of this magnitude. It is an outrage, and the taxpayers must not be left holding the bag for BP's failure.

But some losses can never be recovered. Fragile ocean and coastal ecosystems have suffered irreparable harm, with massive losses of birds and fish and damages to wetlands that provide a critical buffer against gulf hurricanes. Fishermen will have no way to support their families in these tough times. And kids will go to the beach only to find sand and water drowned by oil. Worst of all, we can never replace the 11 workers who lost their lives in this tragedy, nor can we hope to fully compensate the families of the victims

for their losses—losses that were entirely preventable.

While we do not yet know all of the technical details of why this spill occurred, one thing is clear: BP blatantly neglected to invest in safety, and the Federal Government did not do a thing to hold the company accountable.

BP knew about safety concerns on the Deepwater Horizon long before the explosion occurred in April. The New York Times reports that BP knew 11 months ago that there were potential safety problems with the well casing and the blowout preventer. The casing BP installed last summer was never proven to withstand the water pressure of deepwater drilling. Shortly before the explosion in April, the company installed a risky, cheap casing—to save money.

And then there is the blowout preventer, which is supposed to close off the well in the case of a disaster. The blowout preventer was malfunctioning and leaking fluid a month before the explosion, and BP knew this, but BP chose profits over safety.

Where was the Federal Minerals Management Service during all of this? Where was the body charged with regulating safety in the oil industry? This was a dismal failure of Federal oversight, with exemption after exemption granted to BP by an ineffective agency overridden with conflicts of interest. The ineffectiveness of MMS is inexcusable. Just earlier this week, I asked MMS for a list of all of BP's deepwater projects in the gulf—a seemingly simple task. Instead of getting me a list, MMS told my staff they did not know how many deepwater projects BP has in the gulf. This is unconscionable.

BP's poor safety record is not new. OSHA data compiled by the Center for Public Integrity shows that the company accounted for 829 of the 851 willful safety violations industry-wide at oil refineries cited by OSHA in the last 3 years. Those numbers speak for themselves.

It is not that BP could not afford to invest in safety. This recession, which has been devastating to so many families in Minnesota, in New Hampshire, and across the country, has been a lucrative time for BP. The company's first-quarter profits this year amounted to over $6 billion—$6 billion. That is more than double their first-quarter profits from last year. And we found out recently that BP has spent $50 million on advertising to manage its image after the oilspill and plans to pay over $10 billion in dividends to its shareholders this week. I would suggest they hold off on that.

So this is not a company that could not afford to invest in safety. They just chose not to. Let me repeat that. This is not a company that could not afford to invest in safety. They just chose not to. And if they had, those 11 workers would be alive today and their families would have them.

But we cannot only look back. We have to look forward. If there was ever a moment in our history when it has become obvious we cannot drill ourselves to energy independence, it is now. We are not just talking about caring for the environment or worker safety. This spill is a call to action to secure the future of our country. It is time to kick our addiction to oil. We need to face our energy challenge head-on and enact bold, comprehensive energy and climate legislation, and we need to do it now.

We know it can be done. Minnesota is a national leader in renewable energy policies. My State produces 9.4 percent of its electricity from wind power—the second highest in the country. We are well on our way to meeting our State renewable energy standard of 25 percent renewable energy by 2025, and we have passed a law to increase our ethanol blend to 20 percent starting in 2013. Minnesota shows us what is possible as a country.

There are still Members of this body who argue that comprehensive energy and climate legislation can wait, that we can continue with business as usual. Well, that argument simply does not hold. What will it take—what will it take—beyond the biggest oilspill in our country's history to convince skeptics it is time to wean our country off of oil? How many more oilspills will it take?

Today, we face a choice. We can choose not to enact comprehensive legislation that puts a price on carbon and watch as the clean energy jobs and innovation of the 21st century go oversees to China and Japan and India and South Korea and Germany—you name it—because those countries definitely are not waiting to act. China is now the largest manufacturer of wind turbines and solar panels in the world. It is adding 100,000 new clean energy jobs every year. Those are jobs that should be here in America. Our other choice is to spur American innovation and create jobs to build a new economy based on clean energy. I can guarantee you that you are never going to see a 60-day ethanol spill threaten the livelihoods of shrimpers and oystermen and fishermen. And you are never going to see a wind turbine blow up and pollute the ocean and threaten all manner of wildlife and the coastline of America or kill 11 men. So the choice is obvious to me, and it is obvious to the rest of the world too.

Earlier this week, I was in a meeting, and I heard a story about German Chancellor Angela Merkel. When someone asked the Chancellor about encouraging U.S. companies to support a price on carbon, she said: No, I don't want to do that; I don't want to wake the sleeping economic giant that is the United States. She and the rest of the world know that if we do not put a price on greenhouse gas emissions, America stands to lose. We stand to lose our jobs to other countries, and we stand to lose the essence of what has made America great all throughout history—our ability to innovate, to create, to solve the world's problems through new technologies that make the world a better place to live. Well, we just cannot let that happen.

It is not going to be easy to transition away from oil. But running away from challenges has never been the American way. The American way is to face our problems and to innovate ourselves out of them. That is what has made us the global economic leader.

So now is our time to lead again. If we do not act on comprehensive energy and climate legislation, even after this catastrophe in the gulf, our children and our grandchildren are going to look back on this and on us with complete bewilderment: What were they waiting for? That is what they are going to ask. What were you waiting for?

This moment and this oilspill remind me of the fable of the man stuck on the roof during a flood. Someone comes up to him with a ladder, as the waters rise, but he waves them away, saying: No, no, no, go save others. I know God will save me.

The water gets higher, and a man in a rescue boat comes along to help him.

He said: No. Fine. Fine. God will save me.

Then a helicopter comes, and the man yells up: No, no, leave me. God will save me.

Finally, the waters rise to the roof and the man drowns, and in heaven, he asks God: Why didn't you save me?

And God says: What do you mean? I sent you a ladder, a boat, and a helicopter. What else does it take?

Right now, the United States is the man on the roof, waiting, as our energy problems get worse and opportunities pass us by one by one. Well, I am not willing to let that happen. In the coming months, we in this great body are going to have to work together, make compromises, and craft a long-term energy and climate policy that serves our country for the betterment of future generations. I want to be able to look my grandchildren in the eye, I want to be able to look my great-grandchildren in the eye, too, and tell them that we did everything we could to leave this world a better place than the one we were born into. The stakes are too high not to act, and not to act now. So let's work to craft a comprehensive energy policy.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

SWIPE FEES

Mr. DURBIN. Mr. President, 2 weeks ago, we considered the Wall Street reform bill, and the occupant of the chair was a key player in the activities of the Banking Committee that led up to the floor consideration.

I offered an amendment during the course of that debate on the Wall Street reform bill. I knew that the basic reason for Wall Street reform was twofold: holding big banks accountable for how they operate and empowering consumers to make good financial choices.

The bill Senator DODD and the committee brought to the floor was a strong one. In the process of taking up and voting on amendments, in many ways the Senate made the bill even stronger. Now a conference with the House is underway, and I look forward to seeing the best Wall Street reform bill possible signed into law by President Obama.

During the course of that debate, I offered an amendment to the bill that attracted a lot of attention—more than I anticipated. My amendment sought to give small businesses and merchants and their customers across America a real chance in the fight against the outrageously high swipe fees charged by Visa and MasterCard credit card companies.

Nearly $50 billion in credit and debit card interchange fees are collected each year, and this interchange system is entirely unregulated.

To explain the process, if I go to my favorite restaurant in Chicago tomorrow night with my wife and receive my bill and hand over my credit card to that restaurant—and let's say the bill is for $100—the credit card company will honor the bill, pay it to the restaurant, but then charge the restaurant as much as 3 percent of the bill for the use of my credit card, and that is known as a swipe or interchange fee.

You might say, well, doesn't the restaurant negotiate with the credit card company about whether it is 3 percent, 2 percent, or 1 percent? The answer is no. Those fees are dictated by the credit card companies. Merchants and businesses have little power in even challenging, let alone changing, the so-called interchange and swipe fees.

Other than my credit card, I could present something known as a debit card, which more and more people use every day. A debit card, instead of allowing the Visa company to pay my bill, and then I pay them, actually would deduct the money from my checking account, so the money moves directly from my bank through to the bank of the restaurant to pay the bill.

In that situation, the credit card company is not on the hook very much because the money is moved directly from the checking account to the account of the restaurant. It is not a question of whether I pay my monthly bill or whether I pay the interest on that bill; there is very little risk associated with the so-called debit card.

Yet what we are finding is that the credit card companies are charging the same fees for debit cards they are charging for credit cards. Merchants and businesses across America say there is not as much risk associated with them, so why are they charging more? That is the basic mechanism that I approached with my amendment, which was adopted on the floor with 64 Senators voting in favor.

Visa and MasterCard dominate the credit and debit card industry in America. They establish the interchange rates that all merchants—and by extension, their customers—pay to banks whenever a card is swiped or used. There is no one watching out in the process for businesses and consumers. There is no agency of government with the authority to ensure that these fees charged by the credit card companies are reasonable. Visa and MasterCard just set the fees as they see fit and tell the merchants to take it or leave it. But how easy would it be to run a restaurant or major business in America today if you didn't accept credit and debit cards?

Visa and MasterCard envision an American economy where ultimately all sales are conducted electronically across their networks, where they and the card-issuing banks receive a cut of every sale and transaction in America.

It is no surprise they want as big a cut as possible. They want to maximize their profits. Right now, they have the market power to make that happen. They can raise their fees whenever they want.

Who ends up paying the highest interchange fees charged by these credit card companies such as Visa and MasterCard? Small businesses. Many of them are literally driven out of business by these high fees they cannot control and cannot negotiate. They don't have the market power to do it. Those who stay in business have to raise the prices on customers to pay the fees.

My amendment requires debit card fees to be reasonable, and it cleans up some of the worst abuses by Visa and MasterCard.

Yesterday, we had a hearing in the Senate Judiciary Committee and present was an Under Secretary in the Department of Justice, Christine Varney. She is in charge of the antitrust section. I asked her whether the recent reports that had been published in many newspapers across America that the major credit card companies are being investigated by the antitrust division were true. She said she could not comment on the case other than to say they have verified the fact that an antitrust investigation is underway against Visa and MasterCard.

I applaud that. I understand why she could not go into detail. I applaud that investigation. These major credit card companies have become so big and powerful and coordinate their activities so much that I think such an investigation is long overdue.

My amendment requires that debit card fees be reasonable, and it cleans up some of the worst abuses. The amendment was adopted with 64 Senators voting in favor, including 17 Republicans. It was a major victory for small business and merchants and consumers across America. It will help small businesses grow and create jobs, which we definitely need in this economy, and it will put us back on sound economic footing. It will help American families, each of whom pays an estimated $427 a year, to subsidize this $50 billion interchange fee system for Visa and MasterCard.

I thank each of my colleagues who joined me in that vote, including the Presiding Officer.

I know my amendment has earned me the wrath of Wall Street, the wrath of the big banks, and the wrath of Visa and MasterCard. Even before the last votes were counted on my amendment, Visa and MasterCard and lobbyists for the big banks were already plotting a way to kill this amendment. Financial industry lobbyists are swarming the Halls of Congress as we speak. You can hear the stampede of the Gucci loafers around every corner. They are arguing that reducing debit card interchange fees to a reasonable level, as my amendment would require, is unacceptable. In their view, there is absolutely nothing wrong with charging unreasonably high fees in a business where there is virtually no competition.

I urge my colleagues to consider the enormous benefits of the amendment that was adopted. Our language will help every single Main Street business that accepts debit cards keep more of their money, which is a savings they can pass on to their consumers. Every grocery store, convenience store, flower shop, and every restaurant will be able to reduce the fees they paid to the big banks for debit card transactions.

This is a real boost for that industry and, believe me, they know it. They are fighting hard to convince Members of the House now that what we did in the Senate is the right thing for small business across America. It has led the Merchants Payments Coalition, this group that came together in support of my amendment—2.7 million merchants, representing 50 million American employees—to endorse this bill—the overall bill—and to work for its passage because of this amendment.

It is not just businesses that benefit from the amendment. Charities will benefit. Think about that. Charities that accept donations by debit cards will see a savings. Universities will save money on card fees, and so will public agencies, such as your local motor vehicle commission in your home State, public transit agencies, and even the U.S. Postal Service.

Also, under my amendment fewer taxpayer dollars will be spent by local, State, and Federal Government agencies for the payment of these interchange fees.

I am going to hold a hearing next week in my appropriations subcommittee about the amount of money paid by American taxpayers each year to Visa and MasterCard for interchange fees. It is an enormous amount of money. It is an amount that I think is unwarranted because, basically, the Federal Government is going to pay these bills. No question about it. Yet some of the interchange fees charged to our government are much higher than the fees charged to businesses.

Last year, the city of Chicago paid $7.5 million in interchange fees. The Illinois Tollway authority paid $11.6 million in interchange fees. Our cities' transit agencies and units of government could put this money to better use than paying Visa and MasterCard.

Next week, this hearing will bring out the amount of money paid by the Federal Government. Consumers will benefit from the amendment as well. Debit interchange fee reductions will lead to lower consumer prices at grocery stores, convenience stores, and other retailers that, unlike Visa and MasterCard, have to vigorously compete with one another on price. They will have an incentive to pass the savings on to their consumers.

My amendment explicitly allows merchants to provide discounts when a customer pays by cash, check, or debit, instead of credit.

I told a story on the Senate floor before, and I think it illustrates perfectly what we are up against. When you go to the airport to leave town, there are places where you can buy magazines, newspapers, chewing gum, and the like. I was standing in line at a register while somebody in front of me took a package of chewing gum, put it on the counter, and handed over a credit card.

I noticed as she rang up the $1.50—whatever it was—and started running the credit card through that the cashier was doing this routinely. I asked her afterward, when I was next up: Is that the lowest amount anyone put on a credit card while you have worked here?

She said: No. Thirty-five cents is the lowest amount.

I guarantee that merchant lost business, probably on the $1.50, certainly on the 35 cents, because they have to pay the credit card company regardless of the amount of the purchase, and the credit card company forbids, prohibits the merchant, the business from saying: You can't use a credit card for something, for example, that is under $5. They cannot do it.

What we are trying to do is create some sense where we do not penalize merchants and small businesses. I know Visa and MasterCard are throwing a lot of money into their campaign against my amendment. It is one of the most fiercely lobbied provisions I have seen since I have served in the Congress. I have heard their arguments, and they just do not hold water.

They argue that there have been no hearings in Congress on the issue of interchange fees prior to my amendment. Actually, in the last 5 years, there have been six congressional hearings specifically on interchange fees, plus two reports from the General Accountability Office.

The second myth they have been pushing is that my amendment will hurt small banks and credit unions. Mr. President, we discussed this after the amendment passed, when you were on the floor. As a result of my amendment, which I changed at the last moment, it says that any institution issuing a credit card with less than $10 billion in assets is not covered by the provisions of my amendment—$10 billion. That means that out of 8,000 credit unions across America, exactly 3 would be governed by my amendment. Yet the credit union industry and all of their representatives are roaming all over Capitol Hill saying: This is going to kill us. In fact, they are specifically exempted from this amendment.

When it comes to banks, the $10 billion asset threshold would mean that out of about 8,000 banks in America, only about 90 will end up being covered by this amendment.

You say to yourself: DURBIN, why did you go through all this trouble for 90 banks and 3 credit unions? It turns out that these 90 banks and 3 credit unions do 65 percent of the credit card business in America. The big boys are the ones who will be touched by this amendment, as they should be.

I heard this line from the Independent Community Bankers of America and the Credit Union National Association, that they are the ones who are going to be hurt. Three credit unions, 80 banks, or 90 at the most, will be affected by it.

I just sent a letter to these organizations telling them what I have been telling small banks and credit unions in my home State of Illinois—that my amendment will not disadvantage them. In fact, we went to great lengths to protect them. We exempt 99 percent of the banks and 99 percent of the credit unions.

Visa and MasterCard cannot come here and lobby and expect anybody to believe them because we know what credit card companies do to you. They do not have a lot of friends on Capitol Hill. The big banks, the ones that issue the credit cards, cannot come around either, basically because the Wall Street reform bill was focused on these banks and some of their nefarious activities, at least questionable activities. Whom do they have fronting for their arguments? The little credit unions that come in and say this is going to be terrible. What they do not tell Members of Congress is that the Durbin amendment specifically exempts them from any coverage of this amendment.

My amendment does not allow merchants to discriminate against cards issued by small banks or credit unions. That is another argument they make: If the Durbin amendment goes through, a lot of businesses and restaurants will not take the credit cards issued by the small institutions. There are specific provisions now that prohibit discrimination against the issuer of the credit card. Those are not changed by the Durbin amendment.

Credit unions fear the card networks will reduce their fees if this provision is enacted. Imagine—think this through. Since the Durbin amendment will not change the fees small banks issuing credit cards will receive, they are afraid that out of spite Visa and MasterCard will unilaterally cut their fees. I have news for them: Visa and MasterCard can do that today even without the Durbin amendment. They have the power to dictate these interchange fees to small banks and credit unions alike. That is what is fundamentally unfair, and that is the situation facing merchants and businesses across America today.

I hear small banks say that even though the Durbin amendment reduces the interchange fee rates, Visa and MasterCard are threatening that if the amendment becomes law, they are going to go ahead and reduce the rates they set for small banks. That is certainly in their power today, but it is certainly against the economic interests of Visa and MasterCard.

Small banks have to understand—credit unions as well—that Visa and MasterCard want more credit cards out there, more people using them. Discouraging the use of credit cards is certainly not in their business model. Visa and MasterCard only get paid if the card is actually swiped or the interchange fee is charged. They would lose that revenue if they cut small bank interchange fees so much so that the banks would stop issuing credit cards.

The only reason Visa and MasterCard might decide to reduce small bank debit interchange rates is if the big banks told Visa and MasterCard not to let the small banks get more interchange revenue than they do. Big banks hate the thought of small banks getting higher interchange rates because the small banks could use that money to eat into the big banks' share of the debit card issuer market.

Many have long suspected that Visa and MasterCard operate primarily to serve the big banks. We are certainly going to find out.

I say to those who have come to lobby me for over 25 years from the credit union industry, I am really troubled by the pattern of conduct I have seen on this legislation. I saw it before when we were dealing with the issues of bankruptcy and foreclosure, when we specifically exempted the credit unions, and yet they refused to break from the biggest bankers—the American Bankers Association—in their position on this issue. We are seeing it again today. We specifically exempt all but three credit unions, and the credit unions are doing the bidding of the big banks and the credit card companies.

I think of the origin of credit unions, which came to be when people across

America decided they wanted to have a fighting chance against banks, that they would come together, pool their savings, and loan to one another with reasonable interest rates. We rewarded this credit union model by saying we would not consider them for-profit banks. We would exempt them from certain Federal taxation because they were different—different in their goals, different in their principles, different in their business models.

But the more I watch them on issue after issue, there is not a dime's worth of difference between the big banks and the credit unions when it comes down to the really tough issues. As soon as the big banks snap, the Credit Union Association jumps. That is what is going on here. It is unfair to those who honor the credit union movement and what it stands for, and it is unfair that their leaders do not have at least the vision to understand that this kind of approach is at the long-term expense of the reputation of a fine association which has served so many millions of Americans, including my family, for a generation.

The banks also argue that because my amendment requires debit fees to be reasonable and proportional to the cost of processing a transaction, they will not be able to cover the possible risk of fraud. That is a pretty bold argument for them to make.

Visa, MasterCard, and the banks for years have been urging consumers to use payment methods that run higher fraud rates. On April 21, an article ran in the American Banker entitled ''Counterintuitive Pitch for Higher-Fee Debit Category.'' The article discusses how JPMorgan Chase, one of the Nation's largest debit card issuers, has urged all its customers to sign for its debit transactions rather than enter a PIN number. As the article points out, entering a PIN number greatly reduces the risk of fraud. The reason JPMorgan Chase urged its cardholders to use signature debit cards is the interchange fees for signature cards are higher. They make more money when you sign than when you use a PIN number. They are willing to absorb the possibility of fraud in a signature rather than in a PIN number, which is more secure. The banks do not appear to be nearly as concerned about lower fraud as they are about higher fees.

Visa, MasterCard, and the banks have also been blocking the introduction of fraud-proof card technology in the United States, again because they want to keep interchange rates high. For example, many countries have chip and PIN cards where a card has a microchip that can only be activated by the use of a PIN number. The banks and card companies in this country have stifled that technology.

When debit fraud does happen today, the big banks usually try to charge back the fraud loss to the merchants on the grounds that the merchants somehow violated Visa's and MasterCard's operating rules.

As long as big banks are guaranteed the same interchange revenue no matter how much or how little fraud they have, the banks have no incentive to keep fraud costs low. My amendment will give big banks a real incentive to reduce fraud.

Finally, I hear the banks argue that by reducing debit interchange fees, my amendment would force the banks and card companies to raise fees on customers. I try not to laugh when I hear this one because when were the banks and card companies not raising fees on their customers? Didn't we just see them fall all over themselves to gouge cardholders before last year's Credit CARD Act took effect? I cannot tell you how many letters I received in the mail during the grace period before the law went into effect announcing higher interest rates on the credit cards my family uses. It is not as if banks and card companies were reducing fees to cardholders as interchange rates were being hiked over the last few years. Rather, they ratcheted up fees on both the cardholder side and on the merchant side. They try to take advantage of both sides whenever they can.

We need to ensure that this system works fairly both for consumers and for small businesses. And last year's Credit CARD Act and my amendment will work together to do so.

In conclusion, I call on my colleagues to stand up for the merchants and small businesses across America, to push this amendment across the finish line in the conference committee on Wall Street reform. This amendment represents one of the biggest wins for small businesses and consumers in years. It will help small businesses grow and create more jobs. Do not let the Wall Street lobbyists and the friends of the credit unions who are working for them fool you. This is all about big bank profits. Do not let them kill this amendment. Do not let them bring down this broad, bipartisan effort to give small businesses a fighting chance against Visa and MasterCard.

Mr. President, I yield the floor. I see my colleague from North Dakota is with us.

The PRESIDING OFFICER. The Senator from North Dakota.

BP'S RESPONSIBILITY

Mr. DORGAN. Mr. President, I come to the floor to speak about the START treaty briefly. Before I do, let me mention, as I have previously, that I have been sending messages to the Justice Department and others. I was pleased with the Attorney General's comments today about the oilspill in the gulf, the gusher of oil that continues in the gulf, and about BP's responsibility.

There is no question that BP has said they pledged to cover legitimate costs as a result of this oilspill. The question I have is, Is that a binding agreement? And the answer from the Justice Department at a hearing recently was, no, it is not binding. If that is the case, if it is not binding—and I believe it is not—we need to move to take steps to make that pledge binding.

There are people today who are trying to figure out how on Earth do they get through this situation. In addition to oil spilling out into the gulf—and it has been doing that I think for 52, 53 days—there are people on a dock in a small town somewhere who are fisher men and women. They have a boat and they fish for a living. But their boat is idle at the end of the dock because they cannot fish. Yet they have to make a payment on that boat at the end of the month. Up and down the gulf, there are significant consequences of this situation. The question is, Who is going to reach out to help those folks? They did not cause these problems.

I think it is important for BP to be asked to put a significant amount of money into a fund, a recovery fund of sorts, and that fund be handled by a special master and perhaps by a counselor from BP.

In any event, it is important to turn this from a pledge into a binding commitment and to do so soon so that money begins flowing to those who are substantially disadvantaged by what has happened and this disaster that has occurred in the Gulf of Mexico.

START TREATY

Mr. DORGAN. Mr. President, let me speak for a moment with respect to the New START treaty. Strategic arms reductions are very important. We do not think about them very much. We deal with big issues and small issues in the Senate. Sometimes the small issues get much more attention than the big issues. But one is coming for sure to the floor of the Senate that is a very big issue; that is, the Strategic Arms Reduction Treaty that was negotiated with the Russians. This is really a big issue and very important. I want to describe why and describe why I feel so strongly about it. I have spoken on the floor previously about this, but I want to do it again, describing a Time magazine article from March 11, 2002. The March 11, 2002, Time magazine article referred back to 2001, right after 9/11—It said this:

> For a few harrowing weeks last fall, a group of U.S. officials believed that the worst nightmare of their lives—something even more horrific than 9/11—was about to come true. In October, an intelligence alert went out to a small number of government agencies, including the Energy Department's top-secret Nuclear Emergency Research Team, based in Nevada. The report said that terrorists were thought to have obtained a 10-kiloton nuclear weapon from the Russian arsenal and planned to smuggle it into New York City. ''It was brutal,'' a U.S. official told Time. It was also highly classified and closely guarded. Under the aegis of the Whitehouse's Counterterrorism Security Group . . . the suspected nuke was kept secret so as not to panic the people of New York. Senior FBI officials were not in the loop.

Some while later, Graham Allison, who is an expert on nuclear proliferation wrote about this incident in a book titled ''Nuclear Terrorism: The Ultimate Preventable Catastrophe.'' In his book, he points out:

One month to the day after the attacks of 9/11, a CIA agent codenamed Dragonfire reported that al-Qaida terrorists had stolen a ten kiloton Russian nuclear bomb from the Russian arsenal and may have smuggled it into New York City. Vice President Cheney moved to a secret mountain facility along with several hundred government employees. They were the core of an alternative government that would operate if Washington, DC were destroyed. President Bush dispatched Nuclear Emergency Support Teams to New York to search for the suspected nuclear weapon. To not cause panic, no one in New York City was informed of the threat, not even Mayor Giuliani. After a few weeks, the intelligence community determined that Dragonfire's report was a false alarm.

But as they did the postmortem on this, they understood that no one claimed it could have been impossible that a nuclear weapon could have been stolen from the Russian arsenal. No one claimed it would have been impossible—having stolen a Russian nuclear weapon—to smuggle it into New York City or a major American city. No one claimed it would have been impossible for a terrorist group—who wanted to kill several hundred thousand people with a nuclear weapon—to have been able to detonate that nuclear weapon.

Now, as I indicated, I describe that as it was described in Time magazine in 2002, and as it was written about in the book by Graham Allison, a former Clinton administration official, in his book titled, ''Nuclear Terrorism: The Ultimate Preventable Catastrophe.'' I describe that and the apoplectic seizure that existed in parts of the U.S. government when it was thought that 1 month after 9/11 al-Qaida had stolen a nuclear weapon and was prepared to detonate it in an American city. And on that day, we wouldn't have had 3,000-plus Americans murdered, we would have had hundreds of thousands of Americans losing their lives. Yet that was about one nuclear weapon—one, just one. The loss of one nuclear weapon.

Now, it turns out it Dragonfire's report wasn't true. The FBI agent codenamed Dragonfire heard it, passed it along, but it turned out it was not accurate. But that was just one nuclear weapon. There are about 25,000 nuclear weapons on this planet. This chart shows the Union of Concerned Scientists' estimate for 2010 estimate that Russia has 15,100 nuclear weapons, the United States has 9,400, China about 240, France 300, Britain 200, and Israel, India, Pakistan, and North Korea each have some. So 25,000 nuclear weapons, and I have described the terror of having just one end up in the hands of a terrorist group. If it ever happens—when it ever happens, God forbid—and hundreds of thousands of people are killed, life on this planet will be changed forever.

Now, Mr. President, we have a lot of nuclear weapons on this planet of ours, and we understand the consequences of their use. These pictures from August of 1945 show the consequences of the dropping of two nuclear weapons—one in Hiroshima and one in Nagasaki. Those pictures are, all these years later, still very hard to look at. That is the consequence of two nuclear weapons.

I was recently in Russia visiting a site that we fund in the Congress under the Nunn-Lugar program. I want to show some photographs about what we have been doing to try to back away from the nuclear threat, to try to see if we can reduce the number of nuclear weapons and the number of delivery vehicles to deliver those nuclear weapons.

This is a photograph of the dismantlement of a Blackjack bomber. This Blackjack bomber was a Russian bomber—a Soviet Union bomber prior to Russia—that would carry a nuclear weapon that would potentially be dropped on the United States, then an adversary during the Cold War. You can see that we dismantled that Russian Blackjack bomber, and this is a piece of a wing strut.

I ask unanimous consent to show a couple of samples.

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

Mr. DORGAN. This is a piece of a wing strut of a Russian bomber. We didn't shoot it down. We cut the wing off. I happen to have a piece of it. This was happening because our colleagues, Senators NUNN and LUGAR, put together a program by which we actually paid for the dismantlement of Russian bombers.

I also have copper wiring from the ground-up copper of the electrical wires of a Russian submarine. We didn't sink that submarine. We paid money to have that submarine destroyed, as part of our agreement with Russia to reduce that country's nuclear weapons.

This is a hinge from a silo in the Ukraine that previously housed a missile with warheads aimed at the United States. There is now planted on that ground sunflowers, not missiles, because we paid the cost of reducing delivery vehicles and reducing nuclear weapons in the stockpile of the former Soviet Union.

This is a program that works—a program that is unbelievably important. And as I and some others viewed these programs in Russia, we understood again the importance of what we have been doing under the Nunn-Lugar program: The Ukraine, Kazakhstan, and Belarus are now nuclear weapons free. That didn't used to be the case. There are no nuclear weapons in those three countries. Albania is chemical weapons free. We have deactivated, under the Nunn-Lugar program, 7,500 former Soviet nuclear warheads. And the numbers of weapons of mass destruction that have been eliminated, and their delivery vehicles, are 32 ballistic missile submarines—gone, eliminated; 1,419 long-range nuclear missiles; 906 nuclear air-to-surface missiles, and 155 nuclear bombers. All of this has been done under a program that very few people know about—the Nunn-Lugar program. It works. It is a great program.

But, as I have indicated, there are still thousands and thousands and thousands—it is estimated this year 25,000—of nuclear weapons on this planet. So what do we do about that? This administration engaged with the Russians for a new treaty because the old START treaty had expired. This new treaty—the New Strategic Arms Reduction Treaty—was negotiated over a lengthy period of time. It required a lot of patience, a great deal of effort, but this administration stuck with it. They negotiated, completed, and signed this treaty.

The President of Russia and our President met in Prague, the Czech Republic, and signed this treaty. Now it needs to be ratified by the Senate.

I want to talk just a bit about the need to do that. I think all of us understand the urgency. There are some who feel strongly that perhaps we should begin the testing of nuclear weapons. I don't support that. I don't think we should. I think we need to be world leaders on these issues. We have stopped nuclear testing. Others have stopped nuclear testing as well, and we ought to continue that posture.

There are some who feel we should begin building new nuclear weapons. I don't believe we should. That doesn't make any sense. That is the wrong signal for us to send to the world.

There are some who believe that we need to make additional investments in the area of life extension programs and investments in making certain that the nuclear weapons that do exist in the stockpile are weapons in which we have the required confidence that those weapons are available, if needed. The President has asked that funding to do that be made available.

I chair the subcommittee that funds those programs, and I believe we will make available what the President requests. It is reasonable, it seems to me, to not only proceed—hopefully, on a bipartisan basis—to address something as important as the START treaty, but at the same time make sure that the programs that we have always had—the life extension programs and the programs that make sure that we have sufficient confidence in the weapons that exist—are funded appropriately. That is what the President has recommended in the budget that he has sent to the Congress.

It just seems to me there is so much to commend to this Congress the need to ratify an arms control treaty here. Mr. Linton Brooks, the NNSA Administrator under George W. Bush, said this, talking about the newly negotiated treaty and the President's budget request:

START, as I now understand it, is a good idea on its own merits, but I think for those

who think it's only a good idea if you have a strong weapons program, I think this budget ought to take care of that. Coupled with the out-year projections, it takes care of the concerns about the complex and it does very good things about the stockpile and it should keep the labs healthy.

I don't quote Henry Kissinger very often, but Henry Kissinger says it pretty well when he says:

It should be noted I come from the hawkish side of this debate, so I'm not here advocating these measures in the abstract. I try to build them into my perception of the national interest. I recommend ratification of this treaty.

Henry Kissinger says he recommends ratification of this treaty. And, finally, the Chairman of the Joint Chiefs of Staff, Admiral Mullen:

I, the Vice Chairman, and the Joint Chiefs, as well as our combatant commanders around the world, stand solidly behind this new treaty, having had the opportunity to provide our counsel, to make our recommendations, and to help shape the final agreements.

It is not just us, but it is our children and their children that have a lot at stake with respect to reducing the number of nuclear weapons, reducing the delivery vehicles. It is the case that the amount of plutonium that will fit in a soda can, the amount of highly enriched uranium the size of a couple of grapefruits will produce a nuclear weapon that will have devastating consequences. So one of our obligations is to try to make sure nuclear material—the material with which those who wish to make nuclear weapons can make those weapons—stays out of the hands of terrorists. That is one of our jobs. We are working very hard on that. We have programs that work on that constantly.

Second is to stop the proliferation of nuclear weapons. I described the countries that we know have nuclear weapons. Now we have to stop the proliferation and stop other countries from getting nuclear weapons. That is our responsibility. We have to be a world leader to do that.

As I said, if, God forbid, somehow in the future—5 years, 10 years, or 20 years from now—a nuclear weapon is exploded in a major city, and hundreds of thousands are killed, life on this planet is not going to be the same. That is why it seems to me that a very important start—and this is just a start, not a finish—is to take this treaty that has been negotiated, bring it to the floor of the Senate, and have this discussion. I would expect there will be Republicans and Democrats who will come down on the same side of this issue—that it is a better world, a safer world when we meet our responsibility to lead on the issues of nonproliferation, when we meet our responsibilities to lead on the matter of reducing nuclear weapons and reducing delivery vehicles.

That is what this New START treaty does. It does it in a very responsible way. So my hope will be that in the coming 2 months or so that we will have a robust discussion of the START treaty and have the celebration of having had the debate and had the vote and then exclaiming to the world that this was a success—that this treaty was a success. Yes, a first step but a success.

Beyond this treaty, there will be other negotiations that will take us to other areas in reductions. I think, as a result, if we do what we should be expected to do, this can be a safer world.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

RECOGNIZING THE DAILY SPARKS TRIBUNE

Mr. REID. Mr. President, I rise today to extend my warmest congratulation to the Daily Sparks Tribune of Sparks, NV, on their historic milestone.

The Daily Sparks Tribune is celebrated throughout Nevada for its first-class journalism, which continues this week for the 100th consecutive year.

The Tribune has been in circulation since 1910, representing news of both Sparks, NV, and the greater State. In 1901, Senator Thomas A Kearns bought the newspaper, along with three other regional papers. The newspaper now circulates to over 5,000 businesses and homes in Nevada.

The Nevada Press Association has honored the work of the Daily Sparks Tribune on many occasions for their outstanding investigatory, editorial, journalistic, photographic, and philanthropic accomplishments. In 2009 alone, the newspaper received 17 awards in the annual Nevada Press Association awards.

Not only has the Daily Sparks Tribune provided Nevadans with a spectacular news source, but it has also become a central part of our community.

I join with Nevadans throughout the Silver State to honor the Daily Sparks Tribune for its 100 years of circulation. It is one of Nevada's oldest community newspapers, and we wish it many more decades of success and readership.

HONORING OUR ARMED FORCES

MAJOR RONALD W. CULVER, JR.

Mrs. LINCOLN. Mr. President, today I honor MAJ Ronald W. Culver, Jr., 44, of El Dorado. Major Culver was killed May 24 in Numaniyah, Iraq, in support of Operation Iraqi Freedom. According to initial reports, Major Culver died of injuries sustained when an improvised explosive device detonated near his vehicle. Major Culver was assigned to the 2nd Squadron, 108th Calvary, Army National Guard, Shreveport, LA.

My heart goes out to the family of Major Culver, who made the ultimate sacrifice on behalf of our Nation. Major Culver's wife and children reside in El Dorado. His mother and father live in Shreveport, LA.

As a member of the Louisiana National Guard, Major Culver served three tours of duty in Iraq. During his military career, he was awarded numerous service medals and was posthumously awarded two Bronze Stars and a Purple Heart, as well as a Combat Action Badge from the State of Louisiana.

Culver was an active member of the El Dorado community, serving in various capacities with Boy Scouts, Campfire Girls, Union County 4–H Foundation board, Saddle Club, Main Street El Dorado, and the John C. Carroll VFW Post 2413, where he was the post commander at the time of his death.

Along with all Arkansans, I am grateful for the service and sacrifice of all of our military servicemembers and their families. More than 11,000 Arkansans on Active Duty and more than 10,000 Arkansas reservists have served in Iraq or Afghanistan since September 11, 2001.

It is the responsibility of our Nation to provide the tools necessary to care for our country's returning servicemembers and honor the commitment our Nation made when we sent them into harm's way. Our grateful Nation will not forget them when their military service is complete. It is the least we can do for those whom we owe so much.

HEALTH CARE REFORM

Mr. BARRASSO. Mr. President, I rise today to address comments made on the floor of the U.S. Senate on June 8, 2010. The senior Senator from Montana accused me of slandering an individual. That individual is President Obama's nominee to be the next Centers for Medicare and Medicaid Services, CMS, Administrator, Dr. Donald Berwick.

The Senator from Montana is incorrect. I want the record to accurately reflect the foundation on which I made my comments on the floor. I told the Senate that the nominee to be the next CMS Administrator ''loves the British health care system and says we are going to need to ration care. The new Director of Medicare is planning to ration care.''

I based my comments solely on historic statements made and articles written by the nominee about the British health care system and rationing care. These statements include:

1. ''The decision is not whether or not we will ration care—the decision is whether we will ration with our eyes open.'' You can find this statement in: ''Rethinking Comparative Effectiveness Research,'' An Interview with Dr. Donald Berwick, Biotechnology Healthcare, June 2009.

2. ''I fell in love with the NHS to an American observer, the NHS . . . is

such a seductress.'' You can find this statement in: ''Celebrating Quality 1998–2008'' by Donald Berwick, M.D., speech at London Science Museum, September 30, 2008.

3. ''The NHS is not just a national treasure; it is a global treasure. As unabashed fans, we urge a dialogue on possible forms of stabilization to better provide the NHS with the time, space, and constancy of purpose to realize its enormous promise.'' You can find this statement in: ''Steadying the NHS'' by Donald Berwick, M.D. and Sheila Leatherman, BMJ, July 29, 2006, p. 255.

4. ''Cynics beware: I am romantic about the National Health Service; I love it. All I need to do to rediscover the romance is to look at health care in my own country.'' You can find this statement in: ''A Transatlantic Review of the NHS at 60'' by Donald Berwick, M.D., BMJ, July 26, 2008, p. 213.

5. ''Here [in Britain], you choose the harder path. You plan the supply; you aim a bit low; you prefer slightly too little of a technology or a service to too much; then you search for care bottlenecks and try to relieve them.'' You can find this statement in: ''A Transatlantic Review of the NHS at 60'' by Donald Berwick, M.D., BMJ, July 26, 2008, p. 213.

REQUEST FOR CONSULTATION

Mr. COBURN. I ask unanimous consent that my letter to Senator MCCONNELL dated June 9, 2010, be printed in the RECORD.

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

U.S. SENATE,
Washington, DC, June 9, 2010.

Hon. MITCH MCCONNELL,
Senate Minority Leader,
U.S. Senate, Washington, DC.

DEAR SENATOR MCCONNELL: I am requesting that I be consulted before the Senate enters into any unanimous-consent agreements or time limitations regarding S. 3019/H.R. 3695, Billy's Law.

I support the goals of this legislation and believe that information regarding missing persons and unidentified remains should be accurate and properly maintained. However, I believe that we can and must do so in a fiscally responsible manner. My concerns are included in, but not limited to, those outlined in this letter.

While this bill is well-intentioned, it costs the American people over $64 million. This legislation has received no process in the Senate Judiciary Committee, as it was only recently introduced on February 23, 2010. As a member of the Judiciary Committee, I believe, prior to floor consideration, legislation under the committee's jurisdiction should be processed in regular order. Appropriate hearings and debate in committee markup are essential to all legislation, especially legislation like Billy's Law, which spends significant federal dollars, authorizes new programs and requires the sharing of personally identifiable information between government databases.

Although additional resources may be necessary, we should act responsibly by reviewing current operations, evaluating their effectiveness, and then determining the best strategy for addressing the areas with the most need. That cannot be accomplished with constant use of the hotline process. The Congressional Research Service estimates that 94% of all measures passed by the Senate do not receive a roll call vote. The hotline process is even more detrimental to transparency and oversight when legislation, like Billy's Law, is hotlined without going through regular committee order.

Moreover, it is irresponsible for Congress to jeopardize the future standard of living of our children by borrowing from future generations. The U.S. national debt is now $13 trillion. That means over $42,000 in debt for each man, woman and child in the United States. A year ago, the national debt was $11.2 trillion. Despite pledges to control spending, Washington adds $4.6 billion to the national debt every single day—that is $3.2 million every single minute.

In addition to the above, there are several specific problems with this legislation. First, Billy's Law seeks to authorize the National Missing and Unidentified Persons System (NamUs), an online repository for information about missing persons and unidentified remains. However, this database has been in operation, without Congressional authorization, since 2007. Before we seek to condone an existing program by providing a Congressional authorization, we should perform rigorous oversight of NamUs to determine whether there is existing waste, fraud and abuse or ways to increase its efficiency. Without the opportunity to conduct hearings and committee markup, it is impossible to effectively examine and evaluate the current operation of NamUs.

Second, merely to maintain NamUs, Billy's Law authorizes $2.4 million per year for fiscal years 2011 through 2016, totaling $14.4 million, without corresponding offsets. This authorization exceeds the yearly sum of $1.3 million the Department of Justice indicates is necessary to maintain the database. Furthermore, according to the Congressional Research Service, Congress already provides funding for NamUs via the National Institute of Justice and the Community Oriented Policing Service. I am concerned that this bill will enable NamUs to double dip into multiple sources of funding for the same purposes.

Third, the bill requires the National Crime Information Center (NCIC) database and NamUs to share information on missing persons and unidentified remains. While the bill requires the Attorney General and Director of the Federal Bureau of Investigation (FBI) to establish rules on confidentiality of this information, I remain concerned about the protection of this personally identifiable information.

NamUs is accessible not only by law enforcement, but also the public. NamUs is comprised of two smaller databases—the Missing Persons Database and the Unidentified Remains Database. While the Unidentified Remains Database does not allow the public to enter information and restricts certain information from being accessed by the public, the Missing Persons Database allows both the public and law enforcement to submit information about missing persons. There is no way to guarantee the consistency and accuracy of publicly entered information. The ability of NamUs and NCIC to share information via this legislation magnifies these concerns.

Fourth, the bill also establishes an Incentive Grants Program to provide law enforcement, coroners, medical examiners and other authorized agencies with grants to facilitate reporting information to both NCIC and NamUs. These grants can be used for very broad purposes, including hiring, contracting and ''other purposes consistent with the goals of this section.'' I believe that state and local law enforcement and other state or locally-run agencies should bear the burden of reporting state and local information. If these databases are, in fact, effective and further the investigations carried out by state and local law enforcement, they should be willing to prioritize funding in their own budgets to utilize the databases accordingly.

Furthermore, the task of investigating missing person and unidentified remains cases often falls primarily on state and local law enforcement. As a result, the federal government should not bear the entire cost for either the Incentive Grants Program or the operation of the NamUs database. For the Incentive Grants Program, the bill authorizes $10 million per year for fiscal years 2011 through 2015, totaling $50 million that is not offset by reductions in real spending elsewhere in the federal budget. In addition, there is no limit on the amount that the Attorney General may award for each grant. Rather, the Attorney General has the discretion to determine how much each grantee receives.

In addition to offsets for federal spending on these programs, I believe all funding in this legislation should be borne at least equally between the states and the federal government. It is clear that state and local law enforcement will be utilizing NamUs often. In fact, the Incentive Grants Program authorized in this bill is specifically to help state and local entities ''facilitate the process of reporting information regarding missing persons and unidentified remains to the NCIC database and NamUs databases. . . .''

While there is no question that law enforcement should endeavor to quickly locate missing persons and return them to their families, the federal government is already making efforts to facilitate this process. Congress should, like many American individuals and companies do with their own resources, evaluate current programs, determine any needs that may exist and prioritize those needs for funding by cutting from the federal budget programs fraught with waste, fraud, abuse and duplication.

Sincerely,

TOM A. COBURN, M.D.,
United States Senator.

REMEMBERING DOROTHY KAMENSHEK

Mrs. BOXER. Mr. President, I ask my colleagues to join me in honoring the memory of Dorothy Kamenshek who passed away on May 17 at her home in Palm Desert, CA. She was 84 years old.

Dorothy Kamenshek was born in Norwood, OH, on December 21, 1925. Her gifts on the diamond were evident from the time she attended the tryouts for an all women's baseball league in Cincinnati while she was a high school senior. Her performance at the tryouts earned her an invitation to participate in the final tryouts that were held at Wrigley Field in Chicago. From the Wrigley Field tryouts, Ms. Kamenshek would emerge as one of two women from Cincinnati who were selected to play in the fledgling All-American Girls Professional Baseball League.

The All-American Girls Professional Baseball League was the brainchild of Chicago Cubs owner, Phillip Wrigley, who sought to fill the void that had been created by the disbanding of many minor league teams as a result of young men who were drafted into the armed services during World War II.

The existence of the All-American Girls Professional Baseball League nearly paralleled the span of Ms. Kamenshek's playing career from 1943–1954. During her career, Ms. Kamenshek all-around excellence on and off the field earned her the admiration of many fans and the respect of her peers.

Ms. Kamenshek was undoubtedly one of the finest players in the All-American Girls Professional Baseball League. The league's all-time batting leader with a .292 average, she had a smooth left-handed swing that earned her consecutive batting titles in 1946 and 1947. The leadoff hitter for the Rockford Peaches, she used her speed on the base paths to create havoc for her opponents as she compiled 657 stolen bases during her career. An all-around baseball player, Ms. Kamenshek's work with the glove once prompted former New York Yankees first baseman Wally Pipp to observe that she was ''the fanciest fielding first baseman that I've ever seen, man or woman.''

Ms. Kamenshek would lead her team, the Rockford Peaches, to four championships before her career was curtailed by a back injury. A driven person who was not going to rest on her laurels, she earned a bachelor's degree in physical therapy from Marquette University after her baseball career. In 1961, she moved to California where she worked as a staff physical therapist, supervisor and chief of therapy services for the Los Angeles County disabled children's services agency. After her retirement from Los Angeles County in 1980, she continued to treat patients in acute care on a part-time basis for the next 6 years.

In 1992, the story of Ms. Kamenshek and the other women who played in the All-American Girls Professional Baseball League was introduced to a new generation of Americans by the popular movie ''A League of Their Own.'' In the movie, the character of Dottie Hinson, played by Geena Davis, was presented as the best player in the league and was named Dottie as a tribute to Ms. Kamenshek, who was affectionately known as Dottie to her friends. In 1999, Sports Illustrated named Ms. Kamenshek one of its top 100 female athletes of the 20th century.

On the field, Dorothy Kamenshek is widely regarded as the greatest female baseball player ever. Off the field, her legacy will be one of a pioneer who, through sheer talent and determination, achieved excellence in a sport that was once deemed to be beyond the physical capacity of females. Dorothy Kamenshek inspired generations of Americans to chip away at the glass ceiling to follow their dreams and pursue endeavors and careers of their own choosing.

She will be dearly missed.

ADDITIONAL STATEMENTS

100TH ANNIVERSARY OF THE FOUNDING OF DANTE, SOUTH DAKOTA

● Mr. JOHNSON. Mr. President, today I pay tribute to the 100th anniversary of the founding of Dante, SD. Small towns like Dante embody South Dakota values, and are the cornerstone of our State.

Dante was founded as a railroad town when a group of farmers were concerned with their ability to haul grain between Wagner and Avon. The farmers approached the Chicago, Milwaukee, and St. Paul Railroad to set up a depot between the towns. After getting a petition signed, the railroad expanded to the newly formed town. Planted in 1907, Dante was incorporated in 1912. Originally called Mayo after H.T. Mayo who donated the land to the town, the railroad company objected to the name. Mr. Mayo was asked for a name to which he reportedly said, ''Call it Dante's Inferno for all I care!'' In 1911, Dante had flourished enough to support the Dante Bowling Alley and Pool Hall. The school was opened in 1912 and stayed open until 1971.

To celebrate the town's anniversary, Dante will be having music, a softball tournament, games and more. With something for everyone, this weekend's celebration is sure to be an enjoyable experience as Dante comes together to celebrate this historic anniversary. I would like to congratulate the people of Dante on reaching this historic milestone, and offer them best wishes on the years to come.●

TRIBUTE TO DR. ANN SOUTHERLAND

● Mr. LEMIEUX. Mr. President, today I wish to bring special recognition to Dr. Ann Marie Phillips Southerland.

Dr. Southerland has elected to retire from Pensacola Junior College after 42 years of distinguished service. She first joined the faculty of the PJC home economics department in 1975 and was promoted as an assistant professor in 1978, an associate professor in 1981, a full professor in 1984 and department head in 1985.

Recognizing her devotion to student success and years of excellence in teaching, Dr. Southerland was appointed to the position of district director of vocational education in 1988 and district dean of vocational education in 1990. In this capacity, Dr. Southerland spearheaded efforts and initiatives to improve curriculum, instruction and assessment. She challenged her colleagues to empower students and ensure they would enter the world with the skills to compete and succeed in the increasingly competitive global marketplace.

The success of Dr. Southerland's contributions to Pensacola Junior College were measurable, and the college appointed her to assistant vice president for academic affairs and career education in 2005. Yet Dr. Southerland's reach has been felt far beyond the academic corridors of northwest Florida. She has selflessly dedicated her time, experience and energy to causes throughout the State of Florida—serving as a member of the Council of Occupational Deans and working arm in arm with her counterparts in all 28 institutions in the Florida College System. What's more, her extensive body of academic literature has been published in numerous scholarly journals and periodicals.

I wish to take this opportunity to commend Dr. Southerland for her service and professionalism. She has been a role model and mentor for many faculty, staff and students at Pensacola Junior College. She has my sincere and heartfelt thanks for her devotion to educating tomorrow's leaders.●

DO THE WRITE THING WRITING CHALLENGE FINALISTS

● Mr. LEVIN. Mr. President, the Do the Write Thing Challenge, or DtWT, is a national program that provides middle school students across the country with the opportunity to examine some of the most pressing issues facing their community. It encourages students to examine and confront the causes and the effects of youth violence through classroom discussions and writings. The focus is on preventative measures with an emphasis on personal responsibility. Since the program's founding in 1994, hundreds of thousands of students have reaped benefits from this community-based approach to addressing these complex and tragic issues.

Middle school students from cities across the Nation participated in DtWT. These students submitted creative and poignant essays, poems, plays, or songs about their personal experiences with youth violence. They wrote about the effect of violence in their lives and about how they can contribute to efforts to eradicate it. Students also pledged to carry out their ideas in their daily lives. This strategy, which empowers young people to make positive changes in their lives and communities, has surely had a positive impact on the communities in which these students reside.

Each year, a DtWT Committee made up of business, community, and government leaders from each participating jurisdiction reviews the writing samples and selects two national finalists. I am pleased to recognize this year's national finalists from Detroit, Karan Patrick and KeJaun Williams. Their creative pieces about youth violence are heart-wrenching and timely. Karan and KeJaun wrote personal pieces about the profound impact violence has had on their young lives and about the lasting consequences of their choices. They conveyed a deep understanding of the result of youth violence. I am impressed by the maturity they displayed

in confronting this topic and congratulate them on being selected as national finalists.

This summer, they will join other DtWT national finalists in Washington, DC, for National Recognition Week. While here, they will attend a ceremony in their honor. Their work also will be placed permanently in the Library of Congress.

I invite my colleagues to join me in celebrating the work of the DtWT finalists and the many organizers across the country who facilitated open discussions in schools about youth violence. Their work is an essential element in the development of local solutions to youth violence in Michigan and across the Nation, and I applaud their efforts.●

150TH ANNIVERSARY OF THE CITY OF MANISTIQUE

● Mr. LEVIN. Mr. President, the small towns and cities that dot this great Nation are at the core of our country's character and cultural fabric. These communities, and the legacy they embody, fashion the great American story through their unique chapters in this ongoing narrative. It is in this spirit that I recognize the sesquicentennial anniversary of the founding of the city of Manistique, MI. The residents of this great city will come together to celebrate this significant milestone with a summer of festivities.

This community in the upper peninsula was first named in 1860 by Charles Harvey, a businessman who sought to build a small dam on the Manistique River. He would first name the area Epsport, after his wife's family name. In 1879, Epsport was named county seat of Schoolcraft county, and a few years later, it was renamed Manistique Township. This area experienced a period of rapid development, beginning in 1872 with the relocation of Weston Lumber Company to Manistique by its founder, Abijah Weston. The rise of the timber industry spurred the creation of other industries, such as limestone, shingles, cooperage, a box factory, a charcoal iron company and a handle factory.

Like many small towns and cities in the upper peninsula, Manistique has navigated major shifts in its core economy. The timber industry peaked in this region around 1920 and, along with it, the city's population, boasting close to 10,000 residents, aided also by the expansion of the Soo Line Railroad to the area. As the timber industry declined, it was replaced by farming, limestone production and a paper mill, and after World War II, tourism emerged as a major industry. Nestled along the northern shore of Lake Michigan where the lake meets the Manistique River, this region offers tourists considerable natural beauty and countless opportunities to experience the outdoors in its natural state, from the shores of Lake Michigan, to the Seney National Wildlife Refuge, to Hiawatha National Forest, to name a few.

Manistique's sesquicentennial anniversary is a tribute to the strength and perseverance of its citizens and to the many that have played a role in the formation and evolution of this city from its inception. I invite my colleagues in the Senate to join me in recognizing this milestone, and I wish the residents of this city another century and a half of achievement and success.●

REMEMBERING DAVID CURLING

● Mrs. LINCOLN. Mr. President, today I pay tribute to firefighter David Curling of Pine Bluff who made the ultimate sacrifice while working to keep his fellow Arkansans safe.

In late May, David lost his life after a 4-month battle with injuries he sustained when a wall fell on him during a January fire. A 14-year firefighting veteran, he was a lieutenant assigned to Station 3 at 30th Avenue and Ash Street in Pine Bluff.

I extend my heartfelt condolences to David's family, who mourn the loss of their loved one. David bravely and courageously fought to protect the lives of those under his watch.

Along with all Arkansans, I recognize the courage, bravery, and dedication of our Arkansas emergency responders, who risk their lives each day to keep our citizens safe. We must do all we can to honor and remember those who make the ultimate sacrifice, as well as the family members, friends, and fellow officers they left behind. I thank these public servants for their service and sacrifice.●

100TH ANNIVERSARY OF EUREKA SPRINGS CARNEGIE PUBLIC LIBRARY

● Mrs. LINCOLN. Mr. President, today I join residents of Eureka Springs in my home State of Arkansas to celebrate the 100th anniversary of the founding of the Eureka Springs Carnegie Public Library. Throughout the majority of the town's history, the library has served as a vital resource for children and adults of all ages.

Eureka Springs Carnegie Public Library is one of four Arkansas library buildings built with funding by Andrew Carnegie. The building itself was constructed of locally quarried stone and is listed on the National Register of Historic Places.

Libraries help build strong communities by promoting the joy of reading, the love of knowledge, and the excitement of discovery. As the mother of twin boys, I know that reading is the foundation for success in the classroom, and I encourage my boys to read not only at school but also at home. We must do everything we can to ensure that our Arkansas children have the books and technology they need to develop critical literacy skills and reach their full potential.

Mr. President, I commend the librarians, staff, and board members of Eureka Springs Carnegie Library for their success in informing and inspiring their community. I encourage all Arkansans to make a stop at their public library today to share in the joy of learning and knowledge.●

RECOGNIZING THE EL DORADO SCHOOL DISTRICT

● Mrs. LINCOLN. Mr. President, today I salute the students, faculty, and staff of the El Dorado School District for their outstanding efforts to maintain the health and well-being of their school community. The district was recently named the Gold Award Winner of the 2010 Arkansas Healthy School Board, in addition to being named the 2010 International PRIDE Team of the Year for their efforts to prevent youth drug abuse and violence.

El Dorado was named to the Arkansas Healthy School Board for their efforts to offer healthier school lunches and healthy food in vending machines. As the mother of two boys, I understand how important it is for parents to make healthy choices for their kids and help them learn to make healthy choices for themselves. Obesity is a growing problem across our Nation, and if kids learn good eating habits while they are young, that knowledge will stay with them throughout their entire lives. In addition, kids who are healthy and feel good perform better at school and in all areas of their lives.

Unfortunately, many families in our country are unable to provide healthy, nutritious meals. More than ever, families are looking to programs like the National School Lunch Program to ensure children's nutritional needs are met. My Healthy, Hunger-Free Kids Act of 2010 invests $4.5 billion in new child nutrition program funding over the next 10 years, the most historic investment in child nutrition programs since their inception. This investment is fully paid for and will not add to the national debt.

I also commend the El Dorado PRIDE Youth Team, which was named the 2010 International PRIDE Team of the Year. PRIDE Youth Programs, formerly Parents Resource Institute for Drug Education, is the Nation's oldest and largest organization devoted to drug abuse and violence prevention through education. The mission of PRIDE is to educate, promote, and support drug-free youth.

For the past 4 years, the El Dorado PRIDE team has been nominated as one of the top three teams in the Nation. There are also 30 PRIDE members named each year to the National Team from all over the country. This year, three El Dorado students—Allison George, Tylor Ritz and Amanda York—were named to the national team.

Mr. President, I salute the entire El Dorado community for their efforts to keep their schools healthy and safe.●

TRIBUTE TO PHILIP LANDER

● Ms. SNOWE. Mr. President, last Monday, our Nation paused to remember

the sacrifices that the men and women of our Armed Forces have made over the past 235 years. Indeed, Memorial Day is a time to reflect on the freedoms and liberties we enjoy because of the heroic deeds of these brave service members. For those who made it back, many seek to continue giving back to the nation they love. Today I wish to recognize one such veteran, Philip Lander, who is the owner of Atlantic Defense Company, a small, service-disabled veteran-owned construction firm in my home State of Maine that provides other veterans with an opportunity to find meaningful employment upon their return. For his efforts, Mr. Lander has been named the Small Business Administration's 2010 Maine Veteran Small Business Champion, a truly prestigious honor that only begins to highlight his incredible work to help America's veterans.

Indeed, Mr. Lander can lay claim to a distinguished record of service to our Nation dating back to 1970, when he enlisted in the U.S. Army during his time at the University of Maine. After 2 years of service, he returned to Maine to complete a degree in agricultural engineering during which time he joined the Air National Guard. Mr. Lander was called up to active duty during several notable conflicts, including Operations Desert Shield and Desert Storm and the Bosnian war in the 1990s, and was recalled to duty after the tragic events of September 11, 2001.

Mr. Lander founded Atlantic Defense Company in 2005, after retiring from the U.S. Air Force the year before. Atlantic Defense immediately got to work upon its inception, renovating the well-known Jordan Pond House in Maine's Acadia National Park, as well as taking on a contract for the New Jersey Air National Guard rebuilding ground support equipment. Shortly after the scandal at Walter Reed Army Medical Center, Atlantic Defense sought to help America's veterans receive the care they are entitled to by assisting in the rehabilitation of the Nation's VA hospital system. The company performed work at several hospitals across New England, including Togus in Maine and Westhaven in Connecticut.

Always seeking to give back to those who have served, Mr. Lander is involved in the Helmets to Hardhats program, which has the goal of helping veterans of the military, Reserves, and Guard transition from active duty to jobs in the construction industry. His company also transports a medical van to remote spots throughout the northwest portion of Maine, to ensure that veterans living in those areas are able to receive care from the Togus VA system. Mr. Lander also seeks to employ veterans in his company, which currently has 15 to 20 year-round employees, as well as through subcontracting opportunities with similar service-disabled veteran-owned firms.

It has been said of the members of our Nation's Armed Forces that some gave all, but all gave some, and clearly, Philip Lander continues to give back even after his longtime career of service to our nation. His generous and selfless efforts to employ fellow veterans and provide them with critical opportunities back home is admirable. I congratulate him on his recognition as the 2010 Maine Veteran Small Business Champion, and wish everyone at Atlantic Defense Company success in future projects.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting nomination which was referred to the Committee on the Judiciary.

(The nomination received today is printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 9:58 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5026. An act to amend the Federal Power Act to protect the bulk-power system and electric infrastructure critical to the defense of the United States against cybersecurity and other threats and vulnerabilities.

H.R. 5133. An act to designate the facility of the United States Postal Service located at 331 1st Street in Carlstadt, New Jersey, as the ''Staff Sergeant Frank T. Carvill and Lance Corporal Michael A. Schwarz Post Office Building''.

H.R. 5278. An act to designate the facility of the United States Postal Service located at 405 West Second Street in Dixon, Illinois, as the ''President Ronald W. Reagan Post Office Building''.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H.R. 4173) entitled ″An Act to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes″, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following Members as managers of the conference on the part of the House:

From the Committee on Financial Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. FRANK of Massachusetts, KANJORSKI, Ms. WATERS, Mrs. MALONEY, Messrs. GUTIERREZ, WATT, MEEKS of New York, MOORE of Kansas, Ms. KILROY, Messrs. PETERS, BACHUS, ROYCE, Mrs. BIGGERT, Mrs. CAPITO, Messrs. HENSARLING, and GARRETT of New Jersey.

From the Committee on Agriculture, for consideration of subtitles A and B of title I, sections 1303, 1609, 1702, 1703, title III (except sections 3301 and 3302), sections 4205(c), 4804(b)(8)(B), 5008, and 7509 of the House bill, and section 102, subtitle A of title I, sections 406, 604(h), title VII, title VIII, sections 983, 989E, 1027(j), 1088(a)(8), 1098, and 1099 of the Senate amendment, and modifications committed to conference: Messrs. PETERSON, BOSWELL; and LUCAS.

From the Committee on Energy and Commerce, for consideration of sections 3009, 3102(a)(2), 4001, 4002, 4101–4114, 4201, 4202, 4204–4210, 4301–4311, 4314, 4401–4403, 4410, 4501–4509, 4601–4606, 4815, 4901, and that portion of section 8002(a)(3) which adds a new section 313(d) to title 31, United States Code, of the House bill, and that portion of section 502(a)(3) which adds a new section 313(d) to title 31, United States Code, sections 722(e), 1001, 1002, 1011–1018, 1021–1024, 1027–1029, 1031–1034, 1036, 1037, 1041, 1042, 1048, 1051–1058, 1061–1067, 1101, and 1105 of the Senate amendment, and modifications committed to conference: Messrs. WAXMAN, RUSH, and BARTON of Texas.

From the Committee on the Judiciary, for consideration of sections 1101(e)(2), 1103(e)(2), 1104(i)(5) and (i)(6), 1105(h) and (i), 1110(c) and (d), 1601, 1605, 1607, 1609, 1610, 1612(a), 3002(c)(3) and (c)(4), 3006, 3119, 3206, 4205(n), 4306(b), 4501–4509, 4603, 4804(b)(8)(A), 4901(c)(8)(D) and (e), 6003, 7203(a), 7205, 7207, 7209, 7210, 7213–7216, 7220, 7302, 7507, 7508, 9004, 9104, 9105, 9106(a), 9110(b), 9111, 9118, 9203(c), and 9403(b) of the House bill, and sections 112(b)(5)(B), 113(h), 153(f), 201, 202, 205, 208–210, 211(a) and (b), 316, 502(a)(3), 712(c), 718(b), 723(a)(3), 724(b), 725(c), 728, 731, 733, 735(b), 744, 748, 753, 763(a), (c) and (i), 764, 767, 809(f), 922, 924, 929B, 932, 991(b)(5), (c)(2)(G) and (c)(3)(H), 1023(c)(7) and (c)(8), 1024(c)(3)(B), 1027(e), 1042, 1044(a), 1046(a), 1047, 1051–1058, 1063, 1088(a)(7)(A), 1090, 1095, 1096, 1098, 1104, 1151(b), and 1156(c) of the Senate amendment, and modifications committed to conference: Messrs. CONYERS, BERMAN, and SMITH of Texas.

From the Committee on Oversight and Government Reform, for consideration of sections 1000A, 1007, 1101(e)(3), 1203(d), 1212, 1217, 1254(c), 1609(h)(8)(B), 1611(d), 3301, 3302, 3304, 4106(b)(2) and (g)(4)(D), 4604, 4801, 4802, 5004, 7203(a), 7409, and 8002(a)(3) of the House bill, and sections 111(g), (i) and (j), 152(d)(2), (g) and (k), 210(h)(8), 319, 322, 404, 502(a)(3), 723(a)(3), 748, 763(a), 809(g), 922(a), 988, 989B, 989C, 989D, 989E, 1013(a), 1022(c)(6), 1064, 1152, and 1159(a) and (b) of the Senate amendment, and modifications committed to conference: Messrs. TOWNS, CUMMINGS, and ISSA.

From the Committee on Small Business, for consideration of sections 1071 and 1104 of the Senate amendment, and

modifications committed to conference: Ms. VELÁZQUEZ, Messrs. SHULER, and GRAVES.

At 5:05 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. 5072. An act to improve the financial safety and soundness of the FHA mortgage insurance program.

The message also announced that the House has passed the following bill, without amendment:

S. 3473. An act to amend the Oil Pollution Act of 1990 to authorize advances from Oil Spill Liability Trust Fund for the Deepwater Horizon oil spill.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 5026. An act to amend the Federal Power Act to protect the bulk-power system and electric infrastructure critical to the defense of the United States against cybersecurity and other threats and vulnerabilities; to the Committee on Energy and Natural Resources.

H.R. 5072. An act to improve the financial safety and soundness of the FHA mortgage insurance program; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 5133. An act to designate the facility of the United States Postal Service located at 331 1st Street in Carlstadt, New Jersey, as the ''Staff Sergeant Frank T. Carvill and Lance Corporal Michael A. Schwarz Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5278. An act to designate the facility of the United States Postal Service located at 405 West Second Street in Dixon, Illinois, as the ''President Ronald W. Reagan Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

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–6147. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (5) officers authorized to wear the insignia of the grade of rear admiral in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–6148. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the restructured Advanced Threat Infrared Countermeasures/Common Missile Warning System (ATIRCM/CMWS) program; to the Committee on Armed Services.

EC–6149. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the restructured F–35 Joint Strike Fighter (JSF) program; to the Committee on Armed Services.

EC–6150. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the restructured Apache Block III (AB3) program; to the Committee on Armed Services.

EC–6151. A communication from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Atlanta, transmitting, pursuant to law, the Bank's management reports and statements on system of internal controls for fiscal year 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–6152. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010–0080—2010–0088); to the Committee on Foreign Relations.

EC–6153. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to King Abdullah II Design and Development Bureau (KADDB) in Jordan for the assembly and distribution of JAWS (Jordan Arms and Weapons Systems) Viper multi-caliber semi-automatic handguns to various countries in the amount of $1,000,000 or more; to the Committee on Foreign Relations.

EC–6154. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the status of the Government of Cuba's compliance with the United States-Cuba September 1994 ''Joint Communique'' and on the treatment of persons returned to Cuba in accordance with the United States-Cuba May 1995 ''Joint Statement''; to the Committee on Foreign Relations.

EC–6155. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report on the Secretary's recommendation to continue a waiver of application of a section of the Trade Act of 1974 with respect to Belarus; to the Committee on Foreign Relations.

EC–6156. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the extension of waiver authority for Turkmenistan; to the Committee on Foreign Relations.

EC–6157. A communication from the Director, Office of Labor-Management Standards, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Notification of Employee Rights Under Federal Labor Laws'' (RIN1215–AB70; RIN1245–AA00) received in the Office of the President of the Senate on June 8, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–6158. A communication from the Secretary of Labor, transmitting, pursuant to law, the Semiannual Report of the Office of Inspector General of the Department of Labor for the period from October 1, 2009, through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–6159. A communication from the Chairman of the Federal Maritime Commission, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2009, to March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–6160. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Annual Privacy Activity Report for 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–6161. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Office's Federal Equal Opportunity Recruitment Program Report for Fiscal Year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–6162. A communication from the Chief Executive Officer, Millennium Challenge Corporation, transmitting, pursuant to law, the Semiannual Report of the Corporation's Inspector General for the six-month period from October 1, 2009, to March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–6163. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–414, ''Job Growth Incentive Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–6164. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–415, ''Health Insurance for Dependents Temporary Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–6165. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–420, ''Adoption and Guardianship Subsidy Temporary Amendment Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–6166. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–428, ''Healthy Schools Act of 2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–6167. A communication from the Program Manager, Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Decision-Making Authority Regarding the Denial, Suspension, or Revocation of a Federal Firearms License, or Imposition of a Civil Fine'' (Docket No. ATF 17F) received in the Office of the President of the Senate on June 7, 2010; to the Committee on the Judiciary.

EC–6168. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Colorado Advisory Committee; to the Committee on the Judiciary.

EC–6169. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Louisiana Advisory Committee; to the Committee on the Judiciary.

EC–6170. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Oregon Advisory Committee; to the Committee on the Judiciary.

EC–6171. A communication from the Director of Regulation Policy and Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Copayment for Medications'' (RIN2900–AN50) received in the Office of the President of the Senate on June 9, 2010; to the Committee on Veterans' Affairs.

EC–6172. A communication from the Director of Regulation Policy and Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Copayment for Medications After June 30, 2010'' (RIN2900–AN65) received in the Office of the President of the Senate on June 9, 2010; to the Committee on Veterans' Affairs.

EC–6173. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Chehalis River, Aberdeen, WA, Schedule Change'' ((RIN1625–AA09) (Docket No. USG–2009–0959)) received in the Office of the President of the Senate on June 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6174. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Port of Coos Bay Railroad Bridge, Coos Bay, North Bend, OR'' ((RIN1625–AA09) (Docket No. USG–2009–0840)) received in the Office of the President of the Senate on June 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6175. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Lower Grand River, Iberville Parish, LA'' ((RIN1625–AA09) (Docket No. USG–2009–0686)) received in the Office of the President of the Senate on June 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6176. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; CSX Railroad, Trout River, mile 0.9, Jacksonville, FL'' ((RIN1625–AA09) (Docket No. USG–2009–0249)) received in the Office of the President of the Senate on June 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6177. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Red River, MN'' ((RIN1625–AA00) (Docket No. USG–2010–0198)) received in the Office of the President of the Senate on June 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6178. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones; Blasting Operations and Movement of Explosives, St. Marys River, Sault Sainte Marie, MI'' ((RIN1625–AA00) (Docket No. USG–2010–0290)) received in the Office of the President of the Senate on June 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6179. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; St. Louis River, Tallas Island, Duluth, MN'' ((RIN1625–AA00) (Docket No. USG–2010–0124)) received in the Office of the President of the Senate on June 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6180. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Desert Storm, Lake Havasu, AZ'' ((RIN1625–AA00) (Docket No. USG–2009–0809)) received in the Office of the President of the Senate on June 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6181. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; United Portuguese SES Centennial Festa, San Diego Bay, San Diego, CA'' ((RIN1625–AA00) (Docket No. USG–2010–0065)) received in the Office of the President of the Senate on June 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6182. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; BW PIONEER at Walker Ridge 249, Outer Continental Shelf FPSO, Gulf of Mexico'' ((RIN1625–AA00) (Docket No. USG–2009–0571)) received in the Office of the President of the Senate on June 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6183. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; APBA National Tour, Parker, AZ'' ((RIN1625–AA00) (Docket No. USG–2009–1110)) received in the Office of the President of the Senate on June 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6184. A communication from the Administrator of the National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, a report relative to The National Initiative for Increasing Seat Belt Use: Buckle Up America campaign; to the Committee on Commerce, Science, and Transportation.

EC–6185. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Annual Report for Fiscal Year 2009 of the Department of Commerce's Bureau of Industry and Security; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DORGAN, from the Committee on Indian Affairs, without amendment:

S. 1388. A bill to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, and for other purposes (Rept. No. 111–204).

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 3087. A bill to support revitalization and reform of the Organization of American States, and for other purposes (Rept. No. 111–205).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. DORGAN for the Committee on Indian Affairs.

*Cynthia Chavez Lamar, of New Mexico, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring May 19, 2010.

*JoAnn Lynn Balzer, of New Mexico, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring May 19, 2012.

*Tracie Stevens, of Washington, to be Chairman of the National Indian Gaming Commission for the term of three years.

By Mr. LEAHY for the Committee on the Judiciary.

Robert Neil Chatigny, of Connecticut, to be United States Circuit Judge for the Second Circuit.

Scott M. Matheson, Jr., of Utah, to be United States Circuit Judge for the Tenth Circuit.

James Kelleher Bredar, of Maryland, to be United States District Judge for the District of Maryland.

Ellen Lipton Hollander, of Maryland, to be United States District Judge for the District of Maryland.

Susan Richard Nelson, of Minnesota, to be United States District Judge for the District of Minnesota.

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.

James A. Lewis, of Illinois, to be United States Attorney for the Central District of Illinois for the term of four years.

Donald J. Cazayoux, Jr., of Louisiana, to be United States Attorney for the Middle District of Louisiana for the term of four years.

Henry Lee Whitehorn, Sr., of Louisiana, to be United States Marshal for the Western District of Louisiana for the term of four years.

Kevin Charles Harrison, of Louisiana, to be United States Marshal for the Middle District of Louisiana for the term of four years.

Charles Gillen Dunne, of New York, to be United States Marshal for the Eastern District of New York for the term of four years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BENNET:

S. 3475. A bill to provide tighter control over and additional public disclosure of earmarks; to the Committee on Rules and Administration.

By Mr. CASEY (for himself and Mr. SPECTER):

S. 3476. A bill to direct the Secretary of Homeland Security to establish national emergency centers on military installations; to the Committee on Armed Services.

By Mr. WEBB (for himself, Mr. WARNER, Mrs. MCCASKILL, Mr. BURRIS, Mr. BAYH, Mr. NELSON of Nebraska, Mr. TESTER, Mr. MCCAIN, Mr. BROWN of Massachusetts, and Mr. INHOFE):

S. 3477. A bill to ensure that the right of an individual to display the Service Flag on residential property not be abridged; to the Committee on Armed Services.

By Mr. SCHUMER (for himself, Mr. LEAHY, and Mr. WHITEHOUSE):

S. 3478. A bill to amend title 46, United States Code, to repeal certain limitations of liability and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. HAGAN (for herself, Mr. CASEY, and Ms. LANDRIEU):

S. 3479. A bill to authorize the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to establish and implement a birth defects prevention, risk reduction, and public awareness program; to the

Committee on Health, Education, Labor, and Pensions.

By Mr. LIEBERMAN (for himself, Ms. COLLINS, and Mr. CARPER):

S. 3480. A bill to amend the Homeland Security Act of 2002 and other laws to enhance the security and resiliency of the cyber and communications infrastructure of the United States; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CARDIN:

S. 3481. A bill to amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution; to the Committee on Environment and Public Works.

By Mr. REID:

S. 3482. A bill to provide for the development of solar pilot project areas on public land in Lincoln County, Nevada; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DURBIN (for himself and Mr. BURRIS):

S. Res. 549. A resolution congratulating the Chicago Blackhawks on winning the 2010 Stanley Cup; to the Committee on the Judiciary.

By Ms. STABENOW (for herself and Ms. SNOWE):

S. Res. 550. A resolution designating the week beginning on June 14, 2010, and ending on June 18, 2010, as ''National Health Information Technology Week'' to recognize the value of health information technology to improving health quality; considered and agreed to.

ADDITIONAL COSPONSORS

S. 260

At the request of Mr. DORGAN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 260, a bill to amend the Internal Revenue Code of 1986 to provide for the taxation of income of controlled foreign corporations attributable to imported property.

S. 663

At the request of Mr. NELSON of Nebraska, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 663, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish the Merchant Mariner Equity Compensation Fund to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II.

S. 1011

At the request of Mr. AKAKA, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 1011, a bill to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1090

At the request of Mr. WYDEN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1090, a bill to amend the Internal Revenue Code of 1986 to provide tax credit parity for electricity produced from renewable resources.

S. 1091

At the request of Mr. WYDEN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1091, a bill to amend the Internal Revenue Code of 1986 to provide for an energy investment credit for energy storage property connected to the grid, and for other purposes.

S. 1345

At the request of Mr. REED, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1345, a bill to aid and support pediatric involvement in reading and education.

S. 1352

At the request of Mr. DODD, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1352, a bill to provide for the expansion of Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme and other tick-borne diseases, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 1548

At the request of Mr. CARDIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1548, a bill to improve research, diagnosis, and treatment of musculoskeletal diseases, conditions, and injuries, to conduct a longitudinal study on aging, and for other purposes.

S. 1619

At the request of Mr. DODD, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1619, a bill to establish the Office of Sustainable Housing and Communities, to establish the Interagency Council on Sustainable Communities, to establish a comprehensive planning grant program, to establish a sustainability challenge grant program, and for other purposes.

S. 1620

At the request of Mr. BINGAMAN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1620, a bill to amend the Internal Revenue Code of 1986 to provide tax incentives and fees for increasing motor vehicle fuel economy, and for other purposes.

S. 1674

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1674, a bill to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 2899

At the request of Mrs. FEINSTEIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2899, a bill to amend the American Recovery and Reinvestment Act of 2009 and the Internal Revenue Code of 1986 to provide incentives for the development of solar energy.

S. 3036

At the request of Mr. BAYH, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3072

At the request of Mr. ROCKEFELLER, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 3072, a bill to suspend, during the 2-year period beginning on the date of enactment of this Act, any Environmental Protection Agency action under the Clean Air Act with respect to carbon dioxide or methane pursuant to certain proceedings, other than with respect to motor vehicle emissions, and for other purposes.

S. 3122

At the request of Mr. ENSIGN, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 3122, a bill to require the Attorney General of the United States to compile, and make publicly available, certain data relating to the Equal Access to Justice Act, and for other purposes.

S. 3238

At the request of Mr. SCHUMER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 3238, a bill to provide for a medal of appropriate design to be awarded by the President to the next of kin or other representative of those individuals killed as a result of the terrorist attacks of September 11, 2001, and to the memorials established at the 3 sites that were attacked on that day.

S. 3324

At the request of Mr. BROWN of Ohio, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 3324, a bill to amend the Internal Revenue Code of 1986 to extend the qualifying advanced energy project credit.

S. 3335

At the request of Mr. COBURN, the names of the Senator from Delaware (Mr. KAUFMAN), the Senator from Maine (Ms. SNOWE) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 3335, a bill to require Congress to establish a unified and searchable database on a public website for congressional earmarks as called for by the President in his 2010 State of the Union Address to Congress.

S. 3411

At the request of Mrs. GILLIBRAND, the name of the Senator from New

York (Mr. SCHUMER) was added as a cosponsor of S. 3411, a bill to provide for the adjustment of status for certain Haitian orphans paroled into the United States after the earthquake of January 12, 2010.

S. 3434

At the request of Mr. BINGAMAN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3434, a bill to provide for the establishment of a Home Star Retrofit Rebate Program, and for other purposes.

S. 3447

At the request of Mr. AKAKA, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 3447, a bill to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes.

S. 3461

At the request of Mr. VITTER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3461, a bill to create a fair and efficient system to resolve claims of victims for economic injury caused by the Deepwater Horizon incident, and to direct the Secretary of the Interior to renegotiate the terms of the lease known as ''Mississippi Canyon 252'' with respect to claims relating to the Deepwater Horizon explosion and oil spill that exceed existing applicable economic liability limitations.

S. 3462

At the request of Mrs. SHAHEEN, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 3462, a bill to provide subpoena power to the National Commission on the British Petroleum Oil Spill in the Gulf of Mexico, and for other purposes.

S.J. RES. 29

At the request of Mr. MCCONNELL, the name of the Senator from Florida (Mr. LEMIEUX) was added as a cosponsor of S.J. Res. 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S. RES. 519

At the request of Mr. DEMINT, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. Res. 519, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

S. RES. 548

At the request of Mr. CORNYN, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. Res. 548, a resolution to express the sense of the Senate that Israel has an undeniable right to self-defense, and to condemn the recent destabilizing actions by extremists aboard the ship Mavi Marmara.

AMENDMENT NO. 4312

At the request of Mr. VITTER, the names of the Senator from Alabama (Mr. SHELBY) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of amendment No. 4312 proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

AMENDMENT NO. 4321

At the request of Mr. CASEY, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Hawaii (Mr. AKAKA), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Oregon (Mr. MERKLEY), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Delaware (Mr. KAUFMAN), the Senator from New York (Mr. SCHUMER), the Senator from Illinois (Mr. DURBIN) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of amendment No. 4321 intended to be proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

AMENDMENT NO. 4324

At the request of Mr. WHITEHOUSE, the names of the Senator from Massachusetts (Mr. BROWN), the Senator from Vermont (Mr. LEAHY) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of amendment No. 4324 intended to be proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

AMENDMENT NO. 4327

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of amendment No. 4327 intended to be proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

AMENDMENT NO. 4332

At the request of Mr. KOHL, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 4332 intended to be proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

AMENDMENT NO. 4333

At the request of Mr. THUNE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of amendment No. 4333 intended to be proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

At the request of Mr. MCCONNELL, his name was added as a cosponsor of amendment No. 4333 intended to be proposed to H.R. 4213, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. HAGAN (for herself, Mr. CASEY, and Ms. LANDRIEU):

3479. A bill to authorize the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to establish and implement a birth defects prevention, risk reduction, and public awareness program; to the Committee on Health, Education, Labor, and Pensions.

Mrs. HAGAN. Mr. President, today I am proud to introduce the Birth Defects Prevention, Risk Reduction, and Awareness Act. This bill would ensure that women of childbearing age and health care professionals have access to clinical and evidence based information about the risks and benefits of drug, chemical, and nutritional exposures during pregnancy and while a woman is breastfeeding.

Women who are pregnant or breastfeeding and taking medication for chronic diseases such as asthma, hypertension, and epilepsy often have questions about the risks and benefits. Most pregnant women, as we witnessed last year, really want to know what the science indicates on whether they should get vaccinated against H1N1 or the seasonal flu.

Oftentimes, women will seek answers to these important questions from an established pregnancy and breastfeeding information service. In fact, each year over 70,000 women and health care providers contact these information services across the country. These information services provide valuable information that empowers women. In fact, one study indicated that 78 percent of women who were considering terminating otherwise wanted pregnancies due to fears about exposing their fetus to a medication changed their mind after receiving appropriate counseling from a teratology information service.

It is not just women who use these services; health care providers, including physicians and pharmacists, also utilize these pregnancy and breastfeeding information services. A 2009 study found that over 90 percent of physicians who use these services indicated that the service provides high quality information that has a significant impact on clinical care.

In North Carolina, we have the North Carolina Pregnancy Exposure Riskline, run out of Mission Health System in Asheville. The North Carolina Pregnancy Exposure Riskline fields calls from a variety of constituents, including health care providers, pregnant

women, preconception women, potential adoptive parents, and others. Each year, trained genetic counselors answer questions from over 300 callers, who want information on the impact of maternal exposures during pregnancy and while breastfeeding.

The North Carolina Pregnancy Exposure Riskline provides detailed, factual information to callers on the current available data, and makes referrals to pregnancy registries that are continuing to gather information so that researchers and health care providers can have the best information for future women. If needed and requested, counselors will refer women to pregnancy resources such as substances treatment facilities or the NC Family Health Resource line, which has led North Carolina in information campaigns on the benefits of folic acid and ''Back to Sleep.''

The North Carolina Pregnancy Exposure Riskline also supports the North Carolina Teratology Information Specialists program to provide outreach and education about fetal alcohol syndrome.

Although this is an invaluable service for many women, physicians, and other health care providers, pregnancy and breastfeeding information services across the country have been forced to close due to insufficient funding.

The bill I am introducing today would require the Secretary of Health and Human Services, through the Centers for Disease Control and Prevention, to implement a birth defects prevention and public awareness grant program. Specifically, CDC would initiate a national media campaign to increase awareness among health care providers and at risk populations about pregnancy and breast feeding information services. Experienced organizations would be eligible to apply for grants: to provide information; and to conduct surveillance and research of pregnancy exposures that may cause birth defects, prematurity or other adverse pregnancy outcomes, and maternal exposures that may cause harm to a breast-fed infant.

I am so pleased that the American Academy of Pediatrics, the American Congress of Obstetricians and Gynecologists, the March of Dimes, the Organization of Teratology Information Specialists, and the American Academy of Asthma & Immunology are in support of this worthwhile bill.

I urge my other colleagues to join me in supporting this important bill to provide valuable information about maternal exposures during pregnancy and while breastfeeding.

By Mr. LIEBERMAN (for himself, Ms. COLLINS, and Mr. CARPER):

S. 3480. A bill to amend the Homeland Seeurity Act of 2002 And other laws to enhance the security and resiliency of the cyber and communications infrastructure of the United States; to the Committee on Homeland Security and Governmental Affairs.

Mr. LIEBERMAN. Mr. President, I rise today to introduce the Protecting Cyberspace as a National Asset Act of 2010, which I believe would help secure the Nation's cyber networks against attack.

The Internet may have started out as a communications oddity some 40 years ago but it is now a necessity of modern life and, sadly, one that is under constant attack. Today, Senators COLLINS, CARPER, and I are introducing legislation which we believe would help secure the most critical cyber networks and therefore all Americans.

For all of its ''user-friendly'' allure, the Internet can also be a dangerous place with electronic pipelines that run directly into everything from our personal bank accounts to key infrastructure to government and industrial secrets. Our economic security, national security and public safety are now all at risk from new kinds of enemies—cyber-warriors, cyber-spies, cyberterrorists and cyber-criminals. That risk may be as serious to our homeland security as anything we face today.

Computer networks at the Departments of Defense are being probed hundreds of thousands of times a day, and networks at the Departments of State, Homeland Security and Commerce, as well as NASA and the National Defense University, have all suffered ''major intrusions by unknown foreign entities,'' according to reports.

Key networks that control vital infrastructure, like the electric grid, have been probed, possibly giving our enemies information that could be used to plunge us into darkness at the press of a button from across an ocean. Banks have had millions and millions of dollars stolen from accounts by cyber-bandits who have never been anywhere near the banks themselves.

In a report by McAfee—a computer security company, about 54 percent of the executives of critical infrastructure companies surveyed said their companies had been the victims of denial of service attacks or network infiltration by organized crime groups, terrorists, and other nation-states. The downtime to recover from these attacks can cost $6 million to $8 million a day.

Our present efforts at securing these vital but sprawling government and private sector networks have been disjointed, understaffed and underfinanced. We have not operated with the sense of urgency that is necessary to protect Americans' cyberspace, which the President has correctly described as a ''strategic national asset.''

Our bill would bring these disjointed efforts together so that the federal government and the private sector can coordinate their activities and work off the same playbook.

While President Obama's creation of a cyber-security coordinator inside the White House was a step in the right direction, we need to make that position permanent, transparent and accountable to Congress and the American people.

So, our proposal would create a Senate-confirmed White House cyber-security coordinator whose job would be to lead all federal cyber-security efforts; develop a national strategy—that incorporates all elements of cyberspace policy, including military, law enforcement, intelligence, and diplomatic; give policy advice to the President; and resolve interagency disputes.

The Director of the Office of Cyberspace Policy would oversee all related federal cyberspace activities to ensure efficiency and coordination and would report regularly to Congress to ensure transparency and oversight.

Our legislation also would create a National Center for Cybersecurity an Communications, NCCC, within the Department of Homeland Security, DHS, to elevate and strengthen the Department's cyber security capabilities and authorities. The NCCC would be run by a Senate-confirmed Director who would have the authority and resources to work with the rest of the Federal Government to protect public and private sector cyber networks.

DHS has shown that vulnerabilities in key private sector networks—like utilities and communications systems—could bring our economy to its knees if attacked or commandeered by a foreign power or cyber-terrorists. But other than pointing out a vulnerability, DHS has lacked the power to do anything about it. Our legislation would give DHS the authority to ensure that our nation's most critical infrastructure is protected from cyber attack.

Defense of our cyber networks will only be successful if industry and government work together, so this legislation sets up a collaborative process where the best ideas of the private sector and the government can be used to meet a baseline set of security requirements that DHS would oversee.

Specifically, the NCCC would work with the private sector to establish risk-based security requirements that strengthen the cyber security for the nation's most critical infrastructure, such as vital components of the electric grid, telecommunications networks, and financial sector that, if disrupted, would result in a national or regional catastrophe. Owners and operators of critical infrastructure covered under the act could choose which security measures to implement to meet these risk-based performance requirements. The act would provide some liability protections to owners/operators who demonstrate compliance with the new risk-based security requirements.

Covered critical infrastructure must also report significant breaches to the NCCC to ensure the federal government has a complete picture of the security of these networks. In return, the NCCC would share information, including threat analysis, with owners and operators regarding risks to their networks. The NCCC would also produce and

share useful warning, analysis, and threat information with other Federal agencies, State and local governments, and international partners.

To increase security across the private sector more broadly, the NCCC would collaborate with the private sector to develop best practices for cyber security. By promoting best practices and providing voluntary technical assistance as resources permit, the NCCC would help improve cyber security across the Nation. Information the private sector shares with the NCCC would be protected from public disclosure, and private sector owners and operators may obtain security clearances to access information necessary to protect the IT networks the American people depend upon.

Thanks to great work by Senator CARPER, our legislation would update the Federal Information Security Management Act—or FISMA—to require continuous monitoring and protection of our federal networks and do away with the paper-based reporting system that currently exists. The act also would codify and strengthen DHS authorities to establish0 complete situational awareness for Federal networks and develop tools to improve resilience of Federal Government systems and networks.

In the event of an attack—or threat of an attack—that could have catastrophic consequences to our economy, national security or public safety, our bill would give the President the authority to impose emergency measures on a select group of the most critical infrastructure to preserve their cyber networks and assets and protect our country and the American people. These emergency measures would automatically expire within 30 days unless the President ordered an extension.

These measures would be developed in consultation with the private sector and would apply if the President has credible evidence a cyber vulnerability is being exploited or is about to be exploited. If possible, the President must notify Congress in advance about the threat and the emergency measures that would be taken to mitigate it. Any emergency measures imposed must be the least disruptive necessary to respond to the threat. The bill does not authorize any new surveillance authorities, or permit the government to ''take over'' private networks.

Of course, DHS would need a lot of talented people to accomplish these missions, and our bill gives it the flexibility to recruit, hire, and retain the experts it would need to be successful. Our bill would require the Office of Personal Management to reform the way cyber security personnel are recruited, hired, and trained and would provide DHS with temporary hiring and pay flexibilities to assist in the quick establishment of the NCCC.

Finally, our legislation would require the Federal Government to develop and implement a strategy to ensure that almost $80 billion of the information technology products and services it purchases each year are secure and do not provide our adversaries with a backdoor into our networks.

More specifically, the act would require development of a comprehensive supply chain risk management strategy to address risks and threats to the information technology products and services the federal government relies upon. This strategy would allow agencies to make informed decisions when purchasing IT products and services. This provision would be implemented through the Federal Acquisition Regulation, requiring contracting officers to consider the security risks inherent in agency IT procurements. The value of this approach is that once security features are developed to protect federal networks, private sector customers may be able to purchase that same level of security in the products they buy.

The need for this legislation is both obvious and urgent.

A report by the bipartisan Center for Strategic and International Studies, CSIS, concluded that ''we face a long-term challenge in cyberspace from foreign intelligence agencies and militaries, criminals and others, and losing this struggle would wreak serious damage on the economic health and national security of the United States.''

Given these stakes, Senators COLLINS, CARPER, and I are confident our colleagues will join with us and pass the ''Protecting Cyberspace as a National Asset Act'' in the 110th Congress.

Ms. COLLINS. Mr. President, I rise to join Senators LIEBERMAN and CARPER in introducing the Protecting Cyberspace as a National Asset Act of 2010. This vital legislation would fortify the government's efforts to safeguard America's cyber networks from attack. It would build a public/private partnership to promote national cyber security priorities. It would strengthen the government's ability to set, monitor compliance with, and enforce standards and policies for securing Federal civilian systems and the sensitive information they contain.

The marriage of increasingly robust computer technology to expanding and nearly instantaneous global telecommunications networks is a truly seismic event in human history. This information revolution touches everything, from personal relationships and entertainment to commerce, scientific research, and the most sensitive national security information. Cyberspace is a place of great, even unparalleled, power.

But, to tweak the familiar saying, with great power comes great vulnerability. Cyberspace is under increasing assault on all fronts: cyber vandalism, cyber crime, cyber sabotage, and cyber espionage. Across the world at this moment, computer networks are being hacked, probed, and infiltrated relentlessly. The purpose of these cyber exploits ranges from simple mischief and massive theft to societal mayhem and geopolitical advantage.

In February, Dennis Blair, the former Director of National Intelligence, gave this chilling assessment before the Senate Select Committee on Intelligence:

''Malicious cyber activity is occurring on an unprecedented scale with extraordinary sophistication. While both the threats and technologies associated with cyberspace are dynamic, the existing balance in network technology favors malicious actors, and is likely to continue to do so for the foreseeable future.''

Consider these sobering facts:

Cyber crime costs our national economy nearly $8 billion annually.

Hackers can operate in relative safety and anonymity from a laptop or desktop anywhere in the world. The expanding capabilities of wireless handheld devices strengthen this cloak of cyber invisibility.

As our national and global economies become ever more intertwined, cyber terrorists have greater potential to attack high-value targets. From anywhere in the world, they could disrupt telecommunications systems, shut down electric power grids, or freeze financial markets. With sufficient know-how and a few keystrokes, they could cause billions of dollars in damage and put thousands of lives in jeopardy.

As the hackers' techniques advance, the number of hacking attempts is exploding. Just this March, the Senate's Sergeant at Arms reported that the computer systems of Congress and Executive Branch agencies now are under cyber attack an average of 1.8 billion times per month.

Recent examples of cyber attacks are myriad and disturbing:

Press reports a year ago stated that China and Russia had penetrated the computer systems of America's electrical grid. The hackers allegedly left behind malicious hidden software that could be activated later to disrupt the grid during a war or other national crisis.

At about the same time, we learned that, beginning in 2007 and continuing well into 2008, hackers repeatedly broke into the computer systems of the Pentagon's $300-billion Joint Strike Fighter project. They stole crucial information about the Defense Department's costliest weapons program ever.

In 2007, the country of Estonia was attacked in cyberspace. A 3-week onslaught of botnets overwhelmed the computer systems of the nation's parliament, government ministries, banks, telecommunications networks, and news organizations. This attack on Estonia is a wake-up call that has yet to be sufficiently heeded.

The private sector is also under attack. In January, Google announced that attacks originating in China had targeted its systems as well as the networks of more than 30 other companies. The attacks on Google sought to access the email accounts of Chinese

human rights activists. For the other companies, lucrative information, such as critical corporate data and software source codes, were targeted.

Last year, cyber thieves secretly implanted circuitry into keypads sold to British supermarkets, which were then used to steal account information and PIN numbers. This same tactic was used against a large supermarket chain in Maine, compromising more than 4 million credit cards.

Nor are small businesses immune. Last summer, a small Maine construction firm found that cyber crooks had stolen nearly $600,000 through an elaborate scheme involving dozens of coconspirators throughout the United States.

These attacks, and the hundreds like them that are occurring at any given time whether on our government or private sector systems, have ushered us into a new age of cyber crime and, indeed, cyber warfare. They underscore the high priority we must give to the security of our information technology systems.

The terrorist attacks of September 11, 2001, exposed the vulnerability of our nation to catastrophic attacks. Since that terrible day, we have done much to protect potential targets such as ports, chemical facilities, transportation systems, water supplies, government buildings, and other vital assets. We cannot afford to wait for a ''cyber 9/11'' before our government finally realizes the importance of protecting our digital resources, limiting our vulnerabilities, and mitigating the consequences of penetrations of our networks.

Chairman LIEBERMAN and I have held a number of hearings on cyber security in the Senate Homeland Security and Governmental Affairs Committee. Senator CARPER has been similarly active, particularly on exploring modifications to the Federal Information Security Management Act that are designed to enhance protections of Federal networks and information.

From our examinations of this issue, we know that there are threats to and vulnerabilities in our cyber networks. We also know that the tactics used to exploit these vulnerabilities are constantly evolving and growing increasingly dangerous. Now, it is time to take action. A strong and sustained Federal effort to promote cyber security is a key component of effective deterrence.

For too long, our approach to cyber security has been disjointed and uncoordinated. This cannot continue. The United States requires a comprehensive cyber security strategy backed by aggressive implementation of effective security measures. There must be strong coordination among law enforcement, intelligence agencies, the military, and the private owners and operators of critical infrastructure.

This bill would establish the essential point of coordination. The Office of Cyberspace Policy in the Executive Office of the President would be run by a Senate-confirmed Director who would advise the President on all cyber security matters. The Director would lead and harmonize Federal efforts to secure cyberspace and would develop a national strategy that incorporates all elements of cyber security policy, including military, law enforcement, intelligence, and diplomacy. The Director would oversee all Federal activities related to the national strategy to ensure efficiency and coordination. The Director would report regularly to Congress to ensure transparency and oversight.

To be clear, the White House official would not be another unaccountable czar. The Cyber Director would be a Senate-confirmed position and thus would testify before Congress. The important responsibilities given to the Director of the Office of Cyberspace Policy related to cybersecurity are similar to the responsibilities of the current Director of the Office of Science and Technology Policy.

The Cyber Director would advise the President and coordinate efforts across the Executive Branch to protect and improve our cybersecurity posture and communications networks. By working with a strong operational and tactical partner at the Department of Homeland Security, the Director would help improve the security of Federal and private sector networks.

This strong DHS partner would be the National Center for Cybersecurity and Communications, or Cyber Center. It would be located within the Department of Homeland Security to elevate and strengthen the Department's cyber security capabilities and authorities. This Center also would be led by a Senate-confirmed Director.

The Cyber Center, anchored at DHS, with a strong and empowered leader, will close the coordination gaps that currently exist in our disjointed federal cyber security efforts. For day-to-day operations, the Center would use the resources of DHS, and the Center Director would report directly to the Secretary of Homeland Security. On interagency matters related to the security of federal networks, the Director would regularly advise the President—a relationship similar to the Director of the NCTC on counterterrorism matters or the Chairman of the Joint Chiefs of Staff on military issues. These dual relationships would give the Center Director sufficient rank and stature to interact effectively with the heads of other departments and agencies, and with the private sector.

Congress has dealt with complex challenges involving the need for interagency coordination in the past with a similar construct. We have established strong leaders with supporting organizational structures to coordinate and implement action across agencies, while recognizing and respecting disparate agency missions.

The establishment of the National Counterterrorism Center within the Office of the Director of National Intelligence is a prime example of a successful reorganization that fused the missions of multiple agencies. The Director of NCTC is responsible for the strategic planning of joint counterterrorism operations, and in this role reports to the President. When implementing the information analysis, integration, and sharing mission of the Center, the Director reports to the Director of National Intelligence. These dual roles provide access to the President on strategic, interagency matters, yet provide NCTC with the structural support and resources of the office of the DNI to complete the day-to-day work of the NCTC. The DHS Cyber Center would replicate this successful model for cyber security.

As we have seen repeatedly, from the financial crisis to the environmental catastrophe in the Gulf of Mexico, what happens in the private sector does not always affect just the private sector. The ramifications for government and for the taxpayers often are enormous.

This bill would establish a public/private partnership to improve cyber security. Working collaboratively with the private sector, the Center would produce and share useful warning, analysis, and threat information with the private sector, other Federal agencies, international partners, and state and local governments. By developing and promoting best practices and providing voluntary technical assistance to the private sector, the Center would improve cyber security across the nation. Best practices developed by the Center would be based on collaboration and information sharing with the private sector. Information shared with the Center by the private sector would be protected.

With respect to the owners and operators of our most critical systems and assets, the bill would mandate compliance with certain risk-based performance requirements to close security gaps. These requirements would apply to vital components of the electric grid, telecommunications networks, financial systems, or other critical infrastructure systems that could cause a national or regional catastrophe if disrupted.

This approach would be similar to the current model that DHS employs with the chemical industry. Rather than setting specific standards, DHS would employ a risk-based approach to evaluating cyber vulnerabilities, and the owners and operators of covered critical infrastructure would develop a plan for protecting those vulnerabilities and mitigating the consequences of an attack.

These owners and operators would be able to choose which security measures to implement to meet applicable risk-based performance requirements. The bill does not authorize any new surveillance authorities or permit the government to ''take over'' private networks. This model would allow for continued

innovation and dynamism that are fundamental to the success of the IT sector.

The bill would provide limited liability protections to the owners and operators of covered critical infrastructure that comply with the new risk-based performance requirements. Covered critical infrastructure also would be required to report certain significant breaches affecting vital system functions to the center. These reports would help ensure that the Federal Government has comprehensive awareness of the security risks facing these critical networks.

If a cyber attack is imminent or occurring, the bill would provide a responsible framework, developed in coordination with the private sector, for the President to authorize emergency measures to protect the Nation's most critical infrastructure. The President would be required to notify Congress in advance of the declaration of a national cyber emergency, or as soon thereafter as possible. This notice would include the nature of the threat, the reason existing protective measures are insufficient to respond to the threat, and the emergency actions necessary to mitigate the threat. The emergency measures would be limited in duration and scope.

Any emergency actions directed by the President during the 30-day period covered by the declaration must be the least disruptive means feasible to respond to the threat. Liability protections would apply to owners and operators required to implement these measures, and if other mitigation options were available, owners and operators could propose those alternative measures to the Director and, once approved, implement those in lieu of the mandatory emergency measures.

The center also would share information, including threat analysis, with owners and operators of critical infrastructure regarding risks affecting the security of their sectors. The center would work with sector-specific agencies and other Federal agencies with existing regulatory authority to avoid duplication of requirements, to use existing expertise, and to ensure government resources are employed in the most efficient and effective manner.

With regard to Federal networks, the Federal Information Security Management Act—known as FISMA—gives the Office of Management and Budget broad authority to oversee agency information security measures. In practice, however, FISMA is frequently criticized as a ''paperwork exercise'' that offers little real security and leads to a disjointed cyber security regime in which each Federal agency haphazardly implements its own security measures.

The bill we introduce today would transform FISMA from paper-based to real-time responses. It would codify and strengthen DHS authorities to establish complete situational awareness for Federal networks and develop tools to improve resilience of Federal Government systems and networks.

The legislation also would take advantage of the Federal Government's massive purchasing power to help bring heightened cyber security standards to the marketplace. Specifically, the Director of the Center would be charged with developing a supply chain risk management strategy applicable to Federal procurements. This strategy would emphasize the security of information systems from development to acquisition and throughout their operational life cycle.

While the Director should not be responsible for micromanaging individual procurements or directing investments, we have seen far too often that security is not a primary concern when agencies procure their IT systems. Recommending security investments to OMB and providing strategic guidance on security enhancements early in the development and acquisition process will help ''bake in'' security. Cyber security can no longer be an afterthought in our government agencies.

These improvements in Federal acquisition policy should have beneficial ripple effects in the larger commercial market. As a large customer, the Federal Government can contract with companies to innovate and improve the security of their IT services and products. With the Government's vast purchasing power, these innovations can establish new security baselines for services and products offered to the private sector and the general public.

Finally, the legislation would direct the Office of Personnel Management to reform the way cyber security personnel are recruited, hired, and trained to ensure that the Federal Government and the private sector have the talent necessary to lead this national effort and protect its own networks. The bill would also provide DHS with temporary hiring and pay flexibilities to assist in the establishment of the center.

Some have suggested that this effort can be led from the White House alone—why create a new center at DHS and two Senate-confirmed Director positions? One of the great lessons of 9/11 is that true security demands aggressive oversight, expert evaluation, and thorough testing of systems. There must be constant, real-time monitoring of security and analysis of threats. This task requires much more than a cyber czar. It requires strong civilian counterparts to the Secretary of Defense and the Director of National Intelligence. These Directors, at the White House and at DHS, would serve as those counterparts.

The National Security Agency and other intelligence agencies possess enormous skills and resources, but privacy and civil liberties demands preclude these agencies from shouldering a leadership role in the security of our civilian information technology systems. The intelligence community must play a critical part in providing threat information, but it cannot lead the cyber security effort.

We are all acutely aware that there are those who seek to do harm to this country and to our people. If hackers can nearly bring Estonia to its knees through cyber attacks, infiltrate our military's most closely-guarded project, and, in the case of Google, hack the computers owned and operated by some of the world's most successful computer experts, we must assume even more spectacular and potentially devastating attacks lie ahead.

We must be ready. It is vitally important that we build a strong public-private partnership to protect cyberspace. It is a vital engine of our economy, our government, our country and our future. I urge my colleagues to support this crucial legislation.

By Mr. CARDIN:

S. 3481. A bill to amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution; to the Committee on Environment and Public Works.

Mr. CARDIN. Mr. President, in recent weeks the issue of polluted stormwater runoff from federal properties has again gained significant attention. I continue to have grave concerns about the failure of the Federal Government to pay localities for reasonable costs associated with the control and abatement of pollution that is originating on its properties. At stake is a fundamental issue of equity: polluters should be financially responsible for the pollution that they cause. That includes the Federal Government.

Today I am introducing legislation that makes it clear. Uncle Sam must pay his bills just like every other American.

Annually hundreds of thousands of pounds of pollutants wash off the hardened surfaces in urban areas and into local rivers and streams, threatening the health of our citizens and causing significant environmental degradation. A one-acre parking lot produces about 16 times the volume of runoff that comes from a one-acre meadow. These pollutants include heavy metals, nitrogen and phosphorous, oil and grease, pesticides, bacteria, including deadly e. coli, sediment, toxic chemicals, and debris. Indeed, stormwater runoff is the largest source sector for many imperiled bodies of water across the country. According to the Environmental Protection Agency, stormwater pollution affects all types of water bodies including in order of severity; ocean shoreline, estuaries such as the Chesapeake Bay, Great Lakes shorelines, lakes and rivers. Degraded aquatic habitats are found everywhere that stormwater enters local waterways.

On October 5, 2009, President Obama issued a Federal Executive order on sustainability which set goals for Federal agencies and focused on making improvements in their environmental, energy and economic performance.

Among other requirements, the order specifically requires the implementation of the stormwater provisions of the Energy Independence and Security Act of 2007, section 438.

I am the author of that provision, which requires the Federal Government to maintain the predevelopment hydrology ''to the maximum extent practicable'' of all new building sites or major renovations. This requirement echoed the provision in the President's Chesapeake Bay Protection and Restoration Executive Order issued on May 12, 2009. In the final Strategy for Protecting and Restoring the Chesapeake Bay Watershed, issued on the one-year anniversary of the Executive Order, each Federal agency is being called upon to implement ''the stormwater requirements for new development and redevelopment in Section 438 of the Energy Independence and Security Act. . .'' (pp. 33–34). These parallel Federal stormwater management requirements are explicit recognition of the importance of controlling and managing stormwater pollution from Federal properties.

As EPA requires more communities to address stormwater pollution through Clean Water Act required Municipal Separate Storm Sewer System permits, these communities are responding with a variety of fee-based management systems that will allow them to mitigate, manage and prevent this type of pollution.

The EPA requires National Pollution Discharge Elimination Permits for large communities. The President has issued two Executive Orders that directly note the need to address this type of pollution ''to the maximum extent practicable.'' Clearly, these actions demonstrate that the administration recognizes the importance of dealing adequately with stormwater pollution.

I believe that this administration recognizes its responsibility to manage the stormwater pollution that comes off Federal properties. But that responsibility needs to translate into payments to the local governments that are forced to deal with this pollution. That commitment needs to be more than an Executive order. Adopting the legislation that I am introducing today will remove all ambiguity about the responsibility of the Federal Government to pay these normal and customary stormwater fees.

This is a matter of basic equity. I call upon all of my colleagues to join me in supporting this simple legislative remedy.

Mr. President, I ask unanimous consent that the text of the bill he printed in the RECORD.

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

S. 3481

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

SECTION 1. FEDERAL RESPONSIBILITY FOR STORMWATER POLLUTION.

Section 313 of the Federal Water Pollution Control Act (33 U.S.C. 1323) is amended by adding at the end the following:

''(c) FEDERAL RESPONSIBILITY FOR STORMWATER POLLUTION.—Reasonable service charges described in subsection (a) include reasonable fees or assessments made for the purpose of stormwater management in the same manner and to the same extent as any nongovernmental entity.

''(d) NO TREATMENT AS TAX OR LEVY.—A fee or assessment described in this section—

''(1) shall not be considered to be a tax or other levy subject to an assertion of sovereign immunity; and

''(2) may be paid using appropriated funds.''.

By Mr. REID:

S. 3482. A bill to provide for the development of solar pilot project areas on public land in Lincoln County, Nevada; to the Committee on Energy and Natural Resources.

Mr. REID. Mr. President, today I rise to introduce the American Solar Energy Pilot Leasing Act of 2010. Solar energy development is a critical factor in creating jobs and making the United States energy independent. This legislation will provide a pilot program for the Department of the Interior to develop a solar leasing program in Nevada.

The Secretary of the Interior, though the Bureau of Land Management, BLM, is currently developing a west wide solar energy program based on existing laws and regulations. The BLM, however, does not currently have the legal authority to lease public lands for solar development. This bill will establish, in Lincoln County, the first Federal solar leasing program in the U.S., which will serve as a pilot project for the Department of the Interior in order to guide development of solar leasing throughout the west in the years to come.

The American Solar Energy Pilot Leasing Act designates two solar development zones in Lincoln County for commercial solar energy development. The 10,945 acre Dry Lake zone and the 2,845 acre Delamar Valley zone are within high solar potential areas identified by the BLM and were selected by Lincoln County based on extensive public input. Since the solar zones border the Southwest Intertie Project, SWIP, transmission corridor, these projects will create the opportunity for southern Nevada and California to tap directly into Lincoln County's abundant renewable power resources.

Our bill directs the agency to consult with the County and local stakeholders before offering both parcels for lease not more than 60 days after the bill becomes law. In order to ensure efficient and wise development throughout the west, the BLM is also directed to establish diligent development requirements to ensure leased areas are efficiently developed and to promulgate regulations to guide development of the burgeoning solar leasing program.

The act directs the BLM to set a royalty rate at a level that will encourage efficient production of solar energy and ensure a fair return to the public for the necessary development of the public lands. As part of this program, the BLM is given the flexibility to charge a lower royalty, or even no royalty, for up to five years after energy generation begins as an incentive to promote the maximum generation of solar energy.

Royalties and fees from these solar leasing pilot projects will be disbursed into four accounts. Thirty-five percent will be deposited into the Renewable Energy Mitigation Fish and Wildlife Fund—established by this act to protect and restore wildlife and their habitat and to implement the Land and Water Conservation Fund in Nevada. The State of Nevada and Lincoln County will each receive 25 percent of the collected royalties and fees. The last 15 percent will be directed to the BLM to fund renewable energy permit processing over the next 10 years. At the end of that 10-year period, this 15 percent will be directed to the Renewable Energy Mitigation Fish and Wildlife Fund, in addition to the 35 percent initially set aside for this account.

As you know, I have been a longtime champion for the development of clean, renewable energy resources. Nevada has unparalleled potential for solar energy development and is poised to lead our Nation in clean energy development and innovation. This is a significant step toward moving our country away from dirty fossil fuels and creating a new job market in the west. The model established by this legislation will also reinvest a responsible portion of the royalties and fees from solar energy development into the states and rural communities whose land is being used to power our Nation.

I would like to thank Lincoln County and a great number of sportsmen, ranchers, and conservationists who have helped us shape this legislation. I am pleased to bring this bill to the committee and I look forward to working with Chairman BINGAMAN, Ranking Member MURKOWSKI and the other distinguished members to move this bill through the legislative process.

Mr. President, I ask for unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3482

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 ''American Solar Energy Pilot Leasing Act of 2010''.

SEC. 2. DEFINITIONS.

In this Act:

(1) COUNTY.—The term ''County'' means Lincoln County, Nevada.

(2) FEDERAL LAND.—The term ''Federal land'' means any of the Federal land in the State under the administrative jurisdiction of the Bureau of Land Management that is identified as a ''solar development zone'' on the maps.

(3) FUND.—The term ''Fund'' means the Renewable Energy Mitigation and Fish and Wildlife Fund established by section 3(d)(5)(A).

(4) MAP.—The term ''map'' means each of—

(A) the map entitled ''Dry Lake Valley Solar Development Zone'' and dated May 25, 2010; and

(B) the map entitled ''Delamar Valley Solar Development Zone'' and dated May 25, 2010.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(6) STATE.—The term ''State'' means the State of Nevada.

SEC. 3. DEVELOPMENT OF SOLAR PILOT PROJECT AREAS ON PUBLIC LAND IN LINCOLN COUNTY, NEVADA.

(a) DESIGNATION.—In accordance with sections 201 and 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1711, 1712) and subject to valid existing rights, the Secretary shall designate the Federal land as a solar pilot project area.

(b) APPLICABLE LAW.—The designation of the solar pilot project area under subsection (a) shall be subject to the requirements of—

(1) this Act;

(2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(3) any other applicable law (including regulations).

(c) SOLAR LEASE SALES.—

(1) IN GENERAL.—The Secretary shall conduct lease sales and issue leases for commercial solar energy development on the Federal land, in accordance with this subsection.

(2) DEADLINE FOR LEASE SALES.—Not later than 60 days after the date of enactment of this Act, the Secretary, after consulting with affected governments and other stakeholders, shall conduct lease sales for the Federal land.

(3) EASEMENTS, SPECIAL-USE PERMITS, AND RIGHTS-OF-WAY.—Except for the temporary placement and operation of testing or data collection devices, as the Secretary determines to be appropriate, and the rights-of-way granted under section 301(b)(1) of the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108–424; 118 Stat. 2413) and BLM Case File N–78803, no new easements, special-use permits, or rights-of-way shall be allowed on the Federal land during the period beginning on the date of enactment of this Act and ending on the date of the issuance of a lease for the Federal land.

(4) DILIGENT DEVELOPMENT REQUIREMENTS.—In issuing a lease under this subsection, the Secretary shall include work requirements and mandatory milestones—

(A) to ensure that diligent development is carried out under the lease; and

(B) to reduce speculative behavior.

(5) LAND MANAGEMENT.—The Secretary shall—

(A) establish the duration of leases issued under this subsection;

(B) include provisions in the lease requiring the holder of a lease granted under this subsection—

(i) to furnish a reclamation bond or other form of security determined to be appropriate by the Secretary;

(ii) on completion of the activities authorized by the lease—

(I) to restore the Federal land that is subject to the lease to the condition in which the Federal land existed before the lease was granted; or

(II) to conduct mitigation activities if restoration of the land to the condition described in subclause (I) is impracticable; and

(iii) to comply with such other requirements as the Secretary considers necessary to protect the interests of the public and the United States; and

(C)(i) establish best management practices to ensure the sound, efficient, and environmentally responsible development of solar resources on the Federal land in a manner that would avoid, minimize, and mitigate actual and anticipated impacts to habitat and ecosystem function resulting from the development; and

(ii) include provisions in the lease requiring renewable energy operators to comply with the practices established under clause (i).

(d) ROYALTIES.—

(1) IN GENERAL.—The Secretary shall establish royalties, fees, rentals, bonuses, and any other payments the Secretary determines to be appropriate to ensure a fair return to the United States for any lease issued under this section.

(2) RATE.—Any lease issued under this section shall require the payment of a royalty established by the Secretary by regulation in an amount that is equal to a percentage of the gross proceeds from the sale of electricity at a rate that—

(A) encourages production of solar energy;

(B) ensures a fair return to the public comparable to the return that would be obtained on State and private land; and

(C) encourages the maximum energy generation practicable using the least amount of land and other natural resources, including water.

(3) ROYALTY RELIEF.—To promote the maximum generation of renewable energy, the Secretary may provide that no royalty or a reduced royalty is required under a lease for a period not to exceed 5 years beginning on the date on which generation is initially commenced on the Federal land subject to the lease.

(4) DISPOSITION OF PROCEEDS.—

(A) IN GENERAL.—Of the amounts collected as royalties, fees, rentals, bonuses, or other payments under a lease issued under this section—

(i) 25 percent shall be paid by the Secretary of the Treasury to the State within the boundaries of which the income is derived;

(ii) 25 percent shall be paid by the Secretary of the Treasury to the 1 or more counties within the boundaries of which the income is derived;

(iii) 15 percent shall—

(I) for the period beginning on the date of enactment of this Act and ending on the date specified in subclause (II), be deposited in the Treasury of the United States to help facilitate the processing of renewable energy permits by the Bureau of Land Management in the State, subject to subparagraph (B)(i)(I); and

(II) beginning on the date that is 10 years after the date of enactment of this Act, be deposited in the Fund; and

(iv) 35 percent shall be deposited in the Fund.

(B) LIMITATIONS.—

(i) RENEWABLE ENERGY PERMITS.—For purposes of subclause (I) of subparagraph (A)(iii)—

(I) not more than $10,000,000 shall be deposited in the Treasury at any 1 time under that subclause; and

(II) the following shall be deposited in the Fund:

(aa) Any amounts collected under that subclause that are not obligated by the date specified in subparagraph (A)(iii)(II).

(bb) Any amounts that exceed the $10,000,000 deposit limit under subclause (I).

(ii) FUND.—Any amounts deposited in the Fund under clause (i)(II) or subparagraph (A)(iii)(II) shall be in addition to amounts deposited in the Fund under subparagraph (A)(iv).

(5) RENEWABLE ENERGY MITIGATION AND FISH AND WILDLIFE FUND.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the ''Renewable Energy Mitigation and Fish and Wildlife Fund'', to be administered by the Secretary, for use in the State.

(B) USE OF FUNDS.—Amounts in the Fund shall be available to the Secretary, who may make the amounts available to the State or other interested parties for the purposes of—

(i) mitigating impacts of renewable energy on public land, with priority given to land affected by the solar development zones designated under this Act, including—

(I) protecting wildlife corridors and other sensitive land; and

(II) fish and wildlife habitat restoration; and

(ii) carrying out activities authorized under the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-4 et seq.) in the State.

(C) AVAILABILITY OF AMOUNTS.—Amounts in the Fund shall be available for expenditure, in accordance with this paragraph, without further appropriation, and without fiscal year limitation.

(D) INVESTMENT OF FUND.—

(i) IN GENERAL.—Any amounts deposited in the Fund shall earn interest in an amount determined by the Secretary of the Treasury on the basis of the current average market yield on outstanding marketable obligations of the United States of comparable maturities.

(ii) USE.—Any interest earned under clause (i) may be expended in accordance with this paragraph.

(e) PRIORITY DEVELOPMENT.—

(1) IN GENERAL.—Within the County, the Secretary shall give highest priority consideration to implementation of the solar lease sales provided for under this Act.

(2) EVALUATION.—The Secretary shall evaluate other solar development proposals in the County not provided for under this Act in consultation with the State, County, and other interested stakeholders.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 549—CONGRATULATING THE CHICAGO BLACKHAWKS ON WINNING THE 2010 STANLEY CUP

Mr. DURBIN (for himself and Mr. BURRIS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 549

Whereas, on June 9, 2010, the Chicago Blackhawks hockey team won the Stanley Cup;

Whereas the 2010 Stanley Cup win is the first Stanley Cup win for the Blackhawks since 1961, when John F. Kennedy was president and the Peace Corps was first established;

Whereas the Blackhawks joined the National Hockey League in 1926 and have a rich history in the League;

Whereas the Blackhawks were 1 of the original 6 teams in the National Hockey League;

Whereas, during a very difficult period for the National Hockey League, the Blackhawks remained a strong and competitive team, winning the Stanley Cup in 1934, 1938, and 1961;

Whereas the Stanley Cup championship appearance in 2010 is the first for the Blackhawks since 1992;

Whereas the Blackhawks posted a regular season record of 52–22–8, and the team dominated opponents during the playoffs, with 12 wins and only 4 losses, including a sweep of the number 1-seeded San Jose Sharks to win the Western Conference championship and advance to the Stanley Cup finals;

Whereas General Manager Stan Bowman, Head Coach Joel Quenneville, President John F. McDonough, and owner Rocky Wirtz have put together and led a great organization;

Whereas several Blackhawks players competed in the Olympic games and faithfully returned to the Blackhawks to help secure a championship, including—

(1) Patrick Kane, who played for the United States;

(2) Jonathan Toews, Brent Seabrook, and Duncan Keith, who played for Canada; and

(3) Tomas Kopecky and Marian Hossa, who played for Slovakia;

Whereas all 34 active players, whose shared goal was to end the 49-year championship drought, collectively contributed to a victorious season, including Kyle Beach, Bryan Bickell, Dave Bolland, Nick Boynton, Troy Brouwer, Adam Burish, Dustin Byfuglien, Brian Campbell, Brian Connelly, Corey Crawford, Jassen Cullimore, Jake Dowell, Ben Eager, Colin Fraser, Jordan Hendry, Niklas Hjalmarsson, Marian Hossa, Cristobal Huet, Kim Johnsson, Patrick Kane, Duncan Keith, Tomas Kopecky, Andrew Ladd, Shawn Lalonde, John Madden, Antti Niemi, Danny Richmond, Brent Seabrook, Patrick Sharp, Jack Skille, Brent Sopel, Jonathan Toews, Hannu Toivonen, and Kris Versteeg;

Whereas the 2010 Blackhawks players follow in the giant footsteps of the great players in Blackhawk history who have had their numbers retired, including Glenn Hall (#1), Keith Magnuson (#3), Pierre Pilote (#3), Bobby Hull (#9), Denis Savard (#18), Stan Mikita (#21), and Tony Esposito (#35);

Whereas the city of Chicago welcomes the first championship in the city in 5 years with open arms;

Whereas a new generation of young fans in Chicago and around the State of Illinois are discovering the joy of championship hockey; and

Whereas the Nashville Predators, Vancouver Canucks, San Jose Sharks, and the Philadelphia Flyers proved to be worthy and honorable adversaries and also deserve recognition: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Chicago Blackhawks on winning the 2010 Stanley Cup;

(2) commends the fans, players, and management of the Philadelphia Flyers for allowing the Chicago Blackhawks and the many supporters of the Chicago Blackhawks to celebrate the first Stanley Cup win for the team in 49 years at the Wachovia Center, the arena of the Philadelphia Flyers; and

(3) respectfully directs the Enrolling Clerk of the Senate to transmit an enrolled copy of this resolution to—

(A) the 2010 Chicago Blackhawks hockey organization; and

(B) the Blackhawks owner Rocky Wirtz.

Mr. DURBIN. Mr. President, Chicago has its cold days, and icy sidewalks in the winter. But this year's winter proved to be the right opportunity for the perfect conditions for Illinois' most recently acclaimed sons and daughters, the Chicago Blackhawks hockey team, which won the Stanley Cup last night in Philadelphia.

The city of Chicago and State of Illinois have some of the best sports fans in America, particularly when it comes to hockey. Last night the fans received their reward as they watched Towes, the youngest captain in the National Hockey League at age 22, hoist the Stanley Cup over his head as the team ended a 49-year drought and again became the National Hockey League champions; 49 years, and now champions again.

It gives us Cubs fans hope. The fight song of the team begins, ''Here come the hawks, the mighty Blackhawks.'' The team lived up to that song last night as they defeated the Philadelphia Flyers and in a hard-fought game in overtime in the sixth game of the series. An amazing end to a great season. Just over 4 minutes and 6 seconds into the overtime, 2010 Olympian Patrick Kane scored with an amazing shot you have to see to believe. His efforts were matched by goals from teammates Dustin Byfuglien, Patrick Sharp, Andrew Ladd, and 21 saves by the fabulous goal tender Antti Niemi.

The last time the Blackhawks won the Stanley Cup was 1961. John Kennedy was President. They also won that cup in six games with the assistance of hockey legends Bobby Hull, Stan Mikita, and Murray Balfour. Who can forget those legendary players?

This is the fourth Stanley Cup win for a team with a rich hockey history that began in 1926. Today we celebrate the players who will be tomorrow's legends. This achievement was not achieved without the hard work and determination on the part of the team, the front office, and those incredible players.

I congratulate their coach, Joel Quenneville, on his unbelievable 2-year run in leading the team to victory; also to team president John McDonough who brought new life to the Chicago Blackhawks, and the city of Chicago, and owner Rocky Wirtz, maybe the only major sports owner in America who is cheered wildly whenever his name is mentioned at a game. He assembled a strong office team that developed the Blackhawks into champions. This victory was the result of the exceptional gamesmanship of all of the players and all of the work from the staff and the assistance and encouragement from owners and fans.

I congratulate all of them for this remarkable achievement. I am proud to have the Blackhawks in my State of Illinois. Illinois sports fans have developed patience when it comes to their teams, and truly great things can come to those who wait.

With two Illinois teams earning national championships in 5 years—that is the Chicago White Sox and the Chicago Blackhawks—our fans can celebrate the recent triumphs and hope for many years to come.

Now I have a resolution that I have sent to the desk. It is working its way through the Senate, and we are hopeful that before the end of this session, with the bipartisan cooperation of cheering for these new Stanley Cup champions, we will be able to enact this resolution and send it off so tomorrow's victory parade and rally will be complete. I know they are waiting anxiously for the receipt of the Senate resolution. So I hope we can get this done this evening.

Mr. BURRIS. Last night, and well into this morning, the sounds of celebration rang through the streets of Chicago.

Throughout the city, a proud anthem was sung, an anthem which begins:

Here come the Hawks—the mighty Blackhawks.

Many consider the Stanley Cup to be the most difficult trophy to win in all of professional sports.

But last night, thanks to an extraordinary Blackhawks team, the historic Stanley Cup has returned to Chicago for the first time in nearly half a century.

This incredible season caps an impressive renaissance for one of the National Hockey League's oldest and most storied franchises.

When Rocky Wirtz took the helm of this organization following the loss of his father, longtime Blackhawks owner Bill Wirtz, he moved aggressively to restore his team to excellence.

He reached out to the Chicago community, which comprises some of the greatest sports fans in the world.

He brought fresh talent to the team's roster and coaching staff, and partnered with Chicago institutions like WGN–TV to bring hockey to a wider audience.

As a result, he was able to catch lightning in a bottle, and set his team on the path to a truly historic season.

From the very beginning of this year, every Hawks fan could tell that this team showed some real promise.

Time and again, they battled adversity and overcame it.

Time and again they were tested, but in each successive game, they laced up their skates and took to the ice with growing confidence and a fiery will to win.

Finally, after a dominant regular season and an outstanding showing against playoff opponents, only the Philadelphia Flyers stood between them and their first national title in 49 years.

There is no question that both of these teams deserved to be in contention for the Stanley Cup.

There is little doubt that these fine athletes, from Philadelphia and Chicago, are among the very best in the sport of hockey.

So it was no surprise that this year's Stanley Cup Finals proved to be an exciting and hard-fought series of games.

I congratulate the Flyers and their fans on an outstanding season, and I applaud their sportsmanship throughout the year. They played with grit and determination, right up to the very last moment.

But in the end, there can be only one champion.

And last night, in a thrilling overtime performance that brought the city of Philadelphia to a standstill and the City of Chicago to its feet, the

Blackhawks indisputably won the Stanley Cup.

That is why I am proud to join my good friend Senator DURBIN to introduce a Senate Resolution in honor of this team.

And I ask my colleagues to join with us in celebrating this remarkable achievement.

I congratulate the owners, the entire coaching staff, and every member of the Blackhawks organization.

And I applaud each and every athlete who took part in this incredible victory.

Their names are etched forever into Chicago sports history, just as they will soon be etched into the Stanley Cup Trophy itself.

Finally, I would like to congratulate the people of Chicago, and Blackhawks fans all over the country, who have kept the faith for 49 years, never doubting that greatness would one day return to their hockey team.

I got married in 1961. That is the last time they won the Stanley cup.

Their day has finally come, and this championship belongs to them.

I am proud to join them in celebration, and I am eager to see the Stanley Cup on display back home in Chicago, right where it belongs.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. I certainly want to offer my congratulations to the city of Chicago. Being from Massachusetts, having the World Champion Red Sox, Celtics, New England Patriots, Bruins, New England Revolution, I can certainly appreciate the victory that was brought to the city of Chicago. Certainly when the President has them to the White House, I am hoping he will offer the same courtesy to the NCAA Champion Boston College mens' hockey team as well.

SENATE RESOLUTION 550—DESIGNATING THE WEEK BEGINNING ON JUNE 14, 2010, AND ENDING ON JUNE 18, 2010, AS ''NATIONAL HEALTH INFORMATION TECHNOLOGY WEEK'' TO RECOGNIZE THE VALUE OF HEALTH INFORMATION TECHNOLOGY TO IMPROVING HEALTH QUALITY

Ms. STABENOW (for herself and Ms. SNOWE) submitted the following resolution; which was considered and agreed to:

S. RES. 550

Whereas the Healthcare Information and Management Systems Society has collaborated with more than 5 dozen healthcare organizations for almost 50 years to transform health care by improving information technology and management systems;

Whereas the Center for Information Technology Leadership estimates that the implementation of national standards for interoperability and the exchange of health information would save the United States approximately $77,000,000,000 in expenses relating to health care each year;

Whereas health care information technology and management systems have been recognized as essential tools for improving the quality and cost efficiency of the health care system;

Whereas Congress has made a commitment to leveraging the benefits of the health care information technology and management systems, including through the adoption of electronic medical records that will help to reduce costs and improve quality while ensuring privacy of patients and codification of the Office of the National Coordinator for Health Information Technology;

Whereas Congress has emphasized improving the quality and safety of delivery of health care in the United States; and

Whereas since 2006, organizations across the United States have united to support National Health Information Technology Week to improve public awareness of the benefits of improved quality and cost efficiency of the health care system that the implementation of health information technology could achieve: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning on June 14, 2010, and ending on June 18, 2010, as ''National Health Information Technology Week'';

(2) recognizes the value of information technology and management systems in transforming health care for the people of the United States; and

(3) calls on all interested parties to promote the use of information technology and management systems to transform the health care system in the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4334. Mr. ISAKSON (for himself, Mr. DODD, and Mr. REID) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table.

SA 4335. Mr. NELSON of Florida (for himself, Ms. LANDRIEU, Mr. LEMIEUX, Mr. VITTER, Mr. SHELBY, Mr. WICKER, Mr. COCHRAN, and Mr. SCHUMER) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 4336. Mr. GRASSLEY (for himself, Mr. ROBERTS, Mr. CRAPO, Mr. NELSON of Nebraska, Mr. HATCH, and Mr. BROWNBACK) submitted an amendment intended to be proposed by him to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 4337. Ms. KLOBUCHAR (for herself and Mr. DORGAN) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 4338. Mr. WICKER (for himself, Ms. LANDRIEU, Mr. COCHRAN, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 4339. Mr. DORGAN (for Mr. ROCKEFELLER) proposed an amendment to the bill H.R. 3360, to amend title 46, United States Code, to establish requirements to ensure the security and safety of passengers and crew on cruise vessels, and for other purposes.

SA 4340. Mr. LEVIN (for himself, Mr. KAUFMAN, Mr. NELSON of Florida, Mrs. SHAHEEN, Mrs. MCCASKILL, Mr. WHITEHOUSE, and Mr. REED) submitted an amendment intended to be proposed by him to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table.

SA 4341. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 4342. Ms. SNOWE (for herself, Mr. ENZI, and Mr. ENSIGN) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4334. Mr. ISAKSON (for himself, Mr. DODD, and Mr. REID) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle B of title II, insert the following:

SEC. —. FIRST-TIME HOMEBUYER CREDIT.

(a) IN GENERAL.—Paragraph (2) of section 36(h) is amended by striking ''paragraph (1) shall be applied by substituting 'July 1, 2010'.'' and inserting ''and who purchases such residence before October 1, 2010, paragraph (1) shall be applied by substituting 'October 1, 2010'.''.

(b) CONFORMING AMENDMENT.—Subparagraph (B) of section 36(h)(3) is amended by inserting ''and for 'October 1, 2010'.'' after ''for 'July 1, 2010'.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to residences purchased after June 30, 2010.

SA 4335. Mr. NELSON of Florida (for himself, Ms. LANDRIEU, Mr. LEMIEUX, Mr. VITTER, Mr. SHELBY, Mr. WICKER, Mr. COCHRAN, and Mr. SCHUMER) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

SEC. _____. 5-YEAR NET OPERATING LOSS CARRYBACK FOR CERTAIN OIL SPILL-RELATED LOSSES.

(a) EXTENSION OF NET OPERATING LOSS CARRYBACK PERIOD.—Paragraph (1) of section 172(b) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(K) CERTAIN OIL SPILL-RELATED LOSSES.—In the case of a taxpayer which has a qualified oil spill loss (as defined in subsection (k)) for a taxable year, such qualified oil spill loss shall be a net operating loss carryback to each of the 5 taxable years preceding the taxable year of such loss.''.

(b) QUALIFIED OIL SPILL LOSS.—Section 172 of the Internal Revenue Code of 1986 is amended by redesignating subsection (k) as subsection (l) and by inserting after subsection (j) the following new subsection:

''(k) RULES RELATING TO QUALIFIED OIL SPILL LOSSES.—For purposes of this section—

''(1) QUALIFIED OIL SPILL LOSSES.—

''(A) IN GENERAL.—Except as otherwise provided in this paragraph, the term 'qualified oil spill loss' means the lesser of—

''(i) the excess of—

''(I) the amount of losses in a taxable year ending after April 20, 2010, and before October 1, 2011, incurred by a commercial or charter fishing business operating in the Gulf of Mexico or a Gulf of Mexico tourism-related business attributable to the discharge of oil that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, over

''(II) amounts received during such taxable year as payments for lost profits and earning capacity under section 1002(b)(2)(E) of the Oil Pollution Act of 1990 (33 U.S.C. 2702(b)(2)(E)), or

''(ii) the amount of the net operating loss for such taxable year.

''(B) SAFE HARBOR FOR CERTAIN SMALL BUSINESSES.—In the case of—

''(i) any commercial or charter fishing business operating in the Gulf of Mexico, or

''(ii) any Gulf of Mexico tourism-related business,

the gross revenues of which for any taxable year ending after April 20, 2010, and before October 1, 2011, do not exceed $5,000,000, such term means the amount of the net operating loss of such business for such taxable year.

''(C) COORDINATION WITH QUALIFIED DISASTER LOSSES.—Such term shall not include any qualified disaster loss (as defined in subsection (j)).

''(2) COORDINATION WITH SUBSECTION (b)(2).—For purposes of applying subsection (b)(2), a qualified oil spill loss for any taxable year shall be treated in a manner similar to the manner in which a specified liability loss is treated.

''(3) ELECTION.—Any taxpayer entitled to a 5-year carryback under subsection (b)(1)(K) from any loss year may elect to have the carryback period with respect to such loss year determined without regard to subsection (b)(1)(K). Such election shall be made in such manner as may be prescribed by the Secretary and shall be made by the due date (including extensions of time) for filing the taxpayer's return for the taxable year of the net operating loss. Such election, once made for any taxable year, shall be irrevocable for such taxable year.

''(4) GULF OF MEXICO TOURISM-RELATED BUSINESS.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'Gulf of Mexico tourism-related business' means a hotel, lodging, recreation, entertainment, or restaurant business located in a Gulf Coast community.

''(B) GULF COAST COMMUNITY.—The term 'Gulf Coast community' means any county or parish in the States of Louisiana, Mississippi, Alabama, or Florida which borders the Gulf of Mexico.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to net operating losses arising in taxable years ending after April 20, 2010.

(2) TRANSITION RULE.—In the case of a net operating loss for a taxable year ending before the date of the enactment of this Act—

(A) notwithstanding section 172(b)(1)(H)(iii)(II), any election made under subsection (b)(1)(H) or 172(b)(3) of section 172 of such Code with respect to such loss may (notwithstanding such section) be revoked before the applicable date,

(B) any election made under section 172(b)(1)(K) of such Code with respect to such loss shall (notwithstanding such section) be treated as timely made if made before the applicable date, and

(C) any application under section 6411(a) of such Code with respect to such loss shall be treated as timely filed if filed before the applicable date.

For purposes of this paragraph, the term ''applicable date'' means the date which is 60 days after the date of the enactment of this Act.

SA 4336. Mr. GRASSLEY (for himself, Mr. ROBERTS, Mr. CRAPO, Mr. NELSON of Nebraska, Mr. HATCH, and Mr. BROWNBACK) submitted an amendment intended to be proposed by him to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VIII—SMALL BUSINESS PENALTY FAIRNESS

SEC. 801. LIMITATION ON PENALTY FOR FAILURE TO DISCLOSE REPORTABLE TRANSACTIONS BASED ON RESULTING TAX BENEFITS.

(a) IN GENERAL.—Subsection (b) of section 6707A of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) AMOUNT OF PENALTY.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, the amount of the penalty under subsection (a) with respect to any reportable transaction shall be 75 percent of the decrease in tax shown on the return as a result of such transaction (or which would have resulted from such transaction if such transaction were respected for Federal tax purposes).

''(2) MAXIMUM PENALTY.—The amount of the penalty under subsection (a) with respect to any reportable transaction shall not exceed—

''(A) in the case of a listed transaction, $200,000 ($100,000 in the case of a natural person),

''(B) in the case of any other reportable transaction, $50,000 ($10,000 in the case of a natural person).

''(3) MINIMUM PENALTY.—The amount of the penalty under subsection (a) with respect to any transaction shall not be less than $10,000 ($5,000 in the case of a natural person).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to penalties assessed after December 31, 2006.

SEC. 802. REPORT ON TAX SHELTER PENALTIES AND CERTAIN OTHER ENFORCEMENT ACTIONS.

(a) IN GENERAL.—The Commissioner of Internal Revenue, in consultation with the Secretary of the Treasury, shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate an annual report on the penalties assessed by the Internal Revenue Service during the preceding year under each of the following provisions of the Internal Revenue Code of 1986:

(1) Section 6662A (relating to accuracy-related penalty on understatements with respect to reportable transactions).

(2) Section 6700(a) (relating to promoting abusive tax shelters).

(3) Section 6707 (relating to failure to furnish information regarding reportable transactions).

(4) Section 6707A (relating to failure to include reportable transaction information with return).

(5) Section 6708 (relating to failure to maintain lists of advisees with respect to reportable transactions).

(b) ADDITIONAL INFORMATION.—The report required under subsection (a) shall also include information on the following with respect to each year:

(1) Any action taken under section 330(b) of title 31, United States Code, with respect to any reportable transaction (as defined in section 6707A(c) of the Internal Revenue Code of 1986).

(2) Any extension of the time for assessment of tax enforced, or assessment of any amount under such an extension, under paragraph (10) of section 6501(c) of the Internal Revenue Code of 1986.

(c) DATE OF REPORT.—The first report required under subsection (a) shall be submitted not later than December 31, 2010.

SEC. 803. APPLICATION OF BAD CHECKS PENALTY TO ELECTRONIC PAYMENTS.

(a) IN GENERAL.—Section 6657 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''If any check or money order in payment of any amount'' and inserting ''If any instrument in payment, by any commercially acceptable means, of any amount'', and

(2) by striking ''such check'' each place it appears and inserting ''such instrument''.

(b) EFFECTIVE DATES.—The amendments made by this section shall apply to instruments tendered after the date of the enactment of this Act.

SEC. 804. APPLICATION OF LEVY TO PAYMENTS TO FEDERAL VENDORS RELATING TO PROPERTY.

(a) IN GENERAL.—Section 6331(h)(3) of the Internal Revenue Code of 1986 is amended by striking ''goods or services'' and inserting ''property, goods, or services''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to levies approved after the date of the enactment of this Act.

SA 4337. Ms. KLOBUCHAR (for herself and Mr. DORGAN) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

On page 363, between lines 3 and 4, insert the following:

(c) PROGRAM AUDITS.—Subsection (b)(8)(D) of the Travel Promotion Act of 2009 (22 U.S.C. 2131(b)(8)(D)) is amended by striking ''2 years after the date of enactment of this section,'' and inserting ''3 years after the date of enactment of the Travel Promotion Act of 2009,''.

(d) RESEARCH PROGRAM.—Section 203(b) of the International Travel Act of 1961 (22 U.S.C. 2123a(b)) is amended by striking ''2010 through 2014'' and inserting ''2010 through 2015''.

(e) CORRECTION OF CROSS-REFERENCE.—Section 202(c)(1) of the International Travel Act of 1961 (22 U.S.C. 2123(c)(1)) is amended by striking ''subsection (b) of section 11 of the Travel Promotion Act of 2009'' and inserting ''subsection (b) of the Travel Promotion Act of 2009 (22 U.S.C. 2131(b))''.

SA 4338. Mr. WICKER (for himself, Ms. LANDRIEU, Mr. COCHRAN, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subpart B of part II of subtitle D of title II, add the following:

SEC. _____. SPECIAL DEPRECIATION ALLOWANCE.

(a) IN GENERAL.—Paragraph (6) of section 1400N(d)(6) is amended by striking subparagraph (D).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2009.

SA 4339. Mr. DORGAN (for Mr. ROCKEFELLER) proposed an amendment to the bill H.R. 3360, to amend title 46, United States Code, to establish requirements to ensure the security and safety of passengers and crew on cruise vessels, and for other purposes, as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Cruise Vessel Security and Safety Act of 2010''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Cruise vessel security and safety requirements.
Sec. 4. Offset of administrative costs.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) There are approximately 200 overnight ocean-going cruise vessels worldwide. The average ocean-going cruise vessel carries 2,000 passengers with a crew of 950 people.

(2) In 2007 alone, approximately 12,000,000 passengers were projected to take a cruise worldwide.

(3) Passengers on cruise vessels have an inadequate appreciation of their potential vulnerability to crime while on ocean voyages, and those who may be victimized lack the information they need to understand their legal rights or to know whom to contact for help in the immediate aftermath of the crime.

(4) Sexual violence, the disappearance of passengers from vessels on the high seas, and other serious crimes have occurred during luxury cruises.

(5) Over the last 5 years, sexual assault and physical assaults on cruise vessels were the leading crimes investigated by the Federal Bureau of Investigation with regard to cruise vessel incidents.

(6) These crimes at sea can involve attacks both by passengers and crewmembers on other passengers and crewmembers.

(7) Except for United States flagged vessels, or foreign flagged vessels operating in an area subject to the direct jurisdiction of the United States, there are no Federal statutes or regulations that explicitly require cruise lines to report alleged crimes to United States Government officials.

(8) It is not known precisely how often crimes occur on cruise vessels or exactly how many people have disappeared during ocean voyages because cruise line companies do not make comprehensive, crime-related data readily available to the public.

(9) Obtaining reliable crime-related cruise data from governmental sources can be difficult, because multiple countries may be involved when a crime occurs on the high seas, including the flag country for the vessel, the country of citizenship of particular passengers, and any countries having special or maritime jurisdiction.

(10) It can be difficult for professional crime investigators to immediately secure an alleged crime scene on a cruise vessel, recover evidence of an onboard offense, and identify or interview potential witnesses to the alleged crime.

(11) Most cruise vessels that operate into and out of United States ports are registered under the laws of another country, and investigations and prosecutions of crimes against passengers and crewmembers may involve the laws and authorities of multiple nations.

(12) The Department of Homeland Security has found it necessary to establish 500-yard security zones around cruise vessels to limit the risk of terrorist attack. Recently piracy has dramatically increased throughout the world.

(13) To enhance the safety of cruise passengers, the owners of cruise vessels could upgrade, modernize, and retrofit the safety and security infrastructure on such vessels by installing peep holes in passenger room doors, installing security video cameras in targeted areas, limiting access to passenger rooms to select staff during specific times, and installing acoustic hailing and warning devices capable of communicating over distances.

SEC. 3. CRUISE VESSEL SECURITY AND SAFETY REQUIREMENTS.

(a) IN GENERAL.—Chapter 35 of title 46, United States Code, is amended by adding at the end the following:

''§ 3507. Passenger vessel security and safety requirements

''(a) VESSEL DESIGN, EQUIPMENT, CONSTRUCTION, AND RETROFITTING REQUIREMENTS.—

''(1) IN GENERAL.—Each vessel to which this subsection applies shall comply with the following design and construction standards:

''(A) The vessel shall be equipped with ship rails that are located not less than 42 inches above the cabin deck.

''(B) Each passenger stateroom and crew cabin shall be equipped with entry doors that include peep holes or other means of visual identification.

''(C) For any vessel the keel of which is laid after the date of enactment of the Cruise Vessel Security and Safety Act of 2010, each passenger stateroom and crew cabin shall be equipped with—

''(i) security latches; and

''(ii) time-sensitive key technology.

''(D) The vessel shall integrate technology that can be used for capturing images of passengers or detecting passengers who have fallen overboard, to the extent that such technology is available.

''(E) The vessel shall be equipped with a sufficient number of operable acoustic hailing or other such warning devices to provide communication capability around the entire vessel when operating in high risk areas (as defined by the United States Coast Guard).

''(2) FIRE SAFETY CODES.—In administering the requirements of paragraph (1)(C), the Secretary shall take into consideration fire safety and other applicable emergency requirements established by the U. S. Coast Guard and under international law, as appropriate.

''(3) EFFECTIVE DATE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the requirements of paragraph (1) shall take effect 18 months after the date of enactment of the Cruise Vessel Security and Safety Act of 2010.

''(B) LATCH AND KEY REQUIREMENTS.—The requirements of paragraph (1)(C) take effect on the date of enactment of the Cruise Vessel Security and Safety Act of 2010.

''(b) VIDEO RECORDING.—

''(1) REQUIREMENT TO MAINTAIN SURVEILLANCE.—The owner of a vessel to which this section applies shall maintain a video surveillance system to assist in documenting crimes on the vessel and in providing evidence for the prosecution of such crimes, as determined by the Secretary.

''(2) ACCESS TO VIDEO RECORDS.—The owner of a vessel to which this section applies shall provide to any law enforcement official performing official duties in the course and scope of an investigation, upon request, a copy of all records of video surveillance that the official believes may provide evidence of a crime reported to law enforcement officials.

''(c) SAFETY INFORMATION.—

''(1) CRIMINAL ACTIVITY PREVENTION AND RESPONSE GUIDE.—The owner of a vessel to which this section applies (or the owner's designee) shall—

''(A) have available for each passenger a guide (referred to in this subsection as the 'security guide'), written in commonly understood English, which—

''(i) provides a description of medical and security personnel designated on board to prevent and respond to criminal and medical situations with 24 hour contact instructions;

(ii) describes the jurisdictional authority applicable, and the law enforcement processes available, with respect to the reporting of homicide, suspicious death, a missing United States national, kidnapping, assault with serious bodily injury, any offense to which section 2241, 2242, 2243, or 2244(a) or (c) of title 18 applies, firing or tampering with the vessel, or theft of money or property in excess of $10,000, together with contact information for the appropriate law enforcement authorities for missing persons or reportable crimes which arise—

''(I) in the territorial waters of the United States;

''(II) on the high seas; or

''(III) in any country to be visited on the voyage;

''(B) provide a copy of the security guide to the Federal Bureau of Investigation for comment; and

''(C) publicize the security guide on the website of the vessel owner.

''(2) EMBASSY AND CONSULATE LOCATIONS.—The owner of a vessel to which this section applies shall provide in each passenger stateroom, and post in a location readily accessible to all crew and in other places specified by the Secretary, information regarding the locations of the United States embassy and each consulate of the United States for each country the vessel will visit during the course of the voyage.

''(d) SEXUAL ASSAULT.—The owner of a vessel to which this section applies shall—

''(1) maintain on the vessel adequate, in-date supplies of anti-retroviral medications and other medications designed to prevent sexually transmitted diseases after a sexual assault;

''(2) maintain on the vessel equipment and materials for performing a medical examination in sexual assault cases to evaluate the patient for trauma, provide medical care, and preserve relevant medical evidence;

''(3) make available on the vessel at all times medical staff who have undergone a credentialing process to verify that he or she—

''(A) possesses a current physician's or registered nurse's license and—

''(i) has at least 3 years of post-graduate or post-registration clinical practice in general and emergency medicine; or

''(ii) holds board certification in emergency medicine, family practice medicine, or internal medicine;

''(B) is able to provide assistance in the event of an alleged sexual assault, has received training in conducting forensic sexual assault examination, and is able to promptly perform such an examination upon request and provide proper medical treatment of a victim, including administration of anti-retroviral medications and other medications that may prevent the transmission of human immunodeficiency virus and other sexually transmitted diseases; and

''(C) meets guidelines established by the American College of Emergency Physicians relating to the treatment and care of victims of sexual assault;

''(4) prepare, provide to the patient, and maintain written documentation of the findings of such examination that is signed by the patient; and

''(5) provide the patient free and immediate access to—

''(A) contact information for local law enforcement, the Federal Bureau of Investigation, the United States Coast Guard, the nearest United States consulate or embassy, and the National Sexual Assault Hotline program or other third party victim advocacy hotline service; and

''(B) a private telephone line and Internet-accessible computer terminal by which the individual may confidentially access law enforcement officials, an attorney, and the information and support services available through the National Sexual Assault Hotline program or other third party victim advocacy hotline service.

''(e) CONFIDENTIALITY OF SEXUAL ASSAULT EXAMINATION AND SUPPORT INFORMATION.—The master or other individual in charge of a vessel to which this section applies shall—

''(1) treat all information concerning an examination under subsection (d) confidential, so that no medical information may be released to the cruise line or other owner of the vessel or any legal representative thereof without the prior knowledge and approval in writing of the patient, or, if the patient is unable to provide written authorization, the patient's next-of-kin, except that nothing in this paragraph prohibits the release of—

''(A) information, other than medical findings, necessary for the owner or master of the vessel to comply with the provisions of subsection (g) or other applicable incident reporting laws;

''(B) information to secure the safety of passengers or crew on board the vessel; or

''(C) any information to law enforcement officials performing official duties in the course and scope of an investigation; and

''(2) treat any information derived from, or obtained in connection with, post-assault counseling or other supportive services confidential, so no such information may be released to the cruise line or any legal representative thereof without the prior knowledge and approval in writing of the patient, or, if the patient is unable to provide written authorization, the patient's next-of-kin.

''(f) CREW ACCESS TO PASSENGER STATEROOMS.—The owner of a vessel to which this section applies shall—

''(1) establish and implement procedures and restrictions concerning—

''(A) which crewmembers have access to passenger staterooms; and

''(B) the periods during which they have that access; and

''(2) ensure that the procedures and restrictions are fully and properly implemented and periodically reviewed.

''(g) LOG BOOK AND REPORTING REQUIREMENTS.—

''(1) IN GENERAL.—The owner of a vessel to which this section applies shall—

''(A) record in a log book, either electronically or otherwise, in a centralized location readily accessible to law enforcement personnel, a report on—

''(i) all complaints of crimes described in paragraph (3)(A)(i),

''(ii) all complaints of theft of property valued in excess of $1,000, and

''(iii) all complaints of other crimes,

committed on any voyage that embarks or disembarks passengers in the United States; and

''(B) make such log book available upon request to any agent of the Federal Bureau of Investigation, any member of the United States Coast Guard, and any law enforcement officer performing official duties in the course and scope of an investigation.

''(2) DETAILS REQUIRED.—The information recorded under paragraph (1) shall include, at a minimum—

''(A) the vessel operator;

''(B) the name of the cruise line;

''(C) the flag under which the vessel was operating at the time the reported incident occurred;

''(D) the age and gender of the victim and the accused assailant;

''(E) the nature of the alleged crime or complaint, as applicable, including whether the alleged perpetrator was a passenger or a crewmember;

''(F) the vessel's position at the time of the incident, if known, or the position of the vessel at the time of the initial report;

''(G) the time, date, and method of the initial report and the law enforcement authority to which the initial report was made;

''(H) the time and date the incident occurred, if known;

''(I) the total number of passengers and the total number of crew members on the voyage; and

''(J) the case number or other identifier provided by the law enforcement authority to which the initial report was made.

''(3) REQUIREMENT TO REPORT CRIMES AND OTHER INFORMATION.—

''(A) IN GENERAL.—The owner of a vessel to which this section applies (or the owner's designee)—

''(i) shall contact the nearest Federal Bureau of Investigation Field Office or Legal Attache by telephone as soon as possible after the occurrence on board the vessel of an incident involving homicide, suspicious death, a missing United States national, kidnapping, assault with serious bodily injury, any offense to which section 2241, 2242, 2243, or 2244(a) or (c) of title 18 applies, firing or tampering with the vessel, or theft of money or property in excess of $10,000 to report the incident;

''(ii) shall furnish a written report of the incident to an Internet based portal maintained by the Secretary;

''(iii) may report any serious incident that does not meet the reporting requirements of clause (i) and that does not require immediate attention by the Federal Bureau of Investigation via the Internet based portal maintained by the Secretary; and

''(iv) may report any other criminal incident involving passengers or crewmembers, or both, to the proper State or local government law enforcement authority.

''(B) INCIDENTS TO WHICH SUBPARAGRAPH (A) APPLIES.—Subparagraph (A) applies to an incident involving criminal activity if—

''(i) the vessel, regardless of registry, is owned, in whole or in part, by a United States person, regardless of the nationality of the victim or perpetrator, and the incident occurs when the vessel is within the admiralty and maritime jurisdiction of the United States and outside the jurisdiction of any State;

''(ii) the incident concerns an offense by or against a United States national committed outside the jurisdiction of any nation;

''(iii) the incident occurs in the Territorial Sea of the United States, regardless of the nationality of the vessel, the victim, or the perpetrator; or

''(iv) the incident concerns a victim or perpetrator who is a United States national on a vessel during a voyage that departed from or will arrive at a United States port.

''(4) AVAILABILITY OF INCIDENT DATA VIA INTERNET.—

''(A) WEBSITE.—The Secretary shall maintain a statistical compilation of all incidents described in paragraph (3)(A)(i) on an Internet site that provides a numerical accounting of the missing persons and alleged crimes recorded in each report filed under paragraph (3)(A)(i) that are no longer under investigation by the Federal Bureau of Investigation. The data shall be updated no less frequently than quarterly, aggregated by cruise line, each cruise line shall be identified by name, and each crime shall be identified as to whether it was committed by a passenger or a crew member.

''(B) ACCESS TO WEBSITE.—Each cruise line taking on or discharging passengers in the United States shall include a link on its Internet website to the website maintained by the Secretary under subparagraph (A).

''(h) ENFORCEMENT.—

''(1) PENALTIES.—

''(A) CIVIL PENALTY.—Any person that violates this section or a regulation under this section shall be liable for a civil penalty of not more than $25,000 for each day during which the violation continues, except that the maximum penalty for a continuing violation is $50,000.

''(B) CRIMINAL PENALTY.—Any person that willfully violates this section or a regulation under this section shall be fined not more than $250,000 or imprisoned not more than 1 year, or both.

''(2) DENIAL OF ENTRY.—The Secretary may deny entry into the United States to a vessel to which this section applies if the owner of the vessel—

''(A) commits an act or omission for which a penalty may be imposed under this subsection; or

''(B) fails to pay a penalty imposed on the owner under this subsection.

''(i) PROCEDURES.—Within 6 months after the date of enactment of the Cruise Vessel Security and Safety Act of 2010, the Secretary shall issue guidelines, training curricula, and inspection and certification procedures necessary to carry out the requirements of this section.

''(j) REGULATIONS.—The Secretary and the Commandant shall each issue such regulations as are necessary to implement this section.

''(k) APPLICATION.—

''(1) IN GENERAL.—This section and section 3508 apply to a passenger vessel (as defined in section 2101(22)) that—

''(A) is authorized to carry at least 250 passengers;

''(B) has onboard sleeping facilities for each passenger;

''(C) is on a voyage that embarks or disembarks passengers in the United States; and

''(D) is not engaged on a coastwise voyage.

''(2) FEDERAL AND STATE VESSELS.—This section and section 3508 do not apply to a vessel of the United States operated by the Federal Government or a vessel owned and operated by a State.

''(l) DEFINITIONS.—In this section and section 3508:

''(1) COMMANDANT.—The term 'Commandant' means the Commandant of the Coast Guard.

''(2) OWNER.—The term 'owner' means the owner, charterer, managing operator, master, or other individual in charge of a vessel.

''§ 3508. Crime scene preservation training for passenger vessel crewmembers

''(a) IN GENERAL.—Within 1 year after the date of enactment of the Cruise Vessel Security and Safety Act of 2010, the Secretary, in consultation with the Director of the Federal Bureau of Investigation and the Maritime Administration, shall develop training standards and curricula to allow for the certification of passenger vessel security personnel, crewmembers, and law enforcement officials on the appropriate methods for prevention, detection, evidence preservation, and reporting of criminal activities in the international maritime environment. The

Administrator of the Maritime Administration may certify organizations in the United States and abroad that offer the curriculum for training and certification under subsection (c).

''(b) MINIMUM STANDARDS.—The standards established by the Secretary under subsection (a) shall include—

''(1) the training and certification of vessel security personnel, crewmembers, and law enforcement officials in accordance with accepted law enforcement and security guidelines, policies, and procedures, including recommendations for incorporating a background check process for personnel trained and certified in foreign ports;

''(2) the training of students and instructors in all aspects of prevention, detection, evidence preservation, and reporting of criminal activities in the international maritime environment; and

''(3) the provision or recognition of off-site training and certification courses in the United States and foreign countries to develop and provide the required training and certification described in subsection (a) and to enhance security awareness and security practices related to the preservation of evidence in response to crimes on board passenger vessels.

''(c) CERTIFICATION REQUIREMENT.—Beginning 2 years after the standards are established under subsection (b), no vessel to which this section applies may enter a United States port on a voyage (or voyage segment) on which a United States citizen is a passenger unless there is at least 1 crewmember onboard who is certified as having successfully completed training in the prevention, detection, evidence preservation, and reporting of criminal activities in the international maritime environment on passenger vessels under subsection (a).

''(d) INTERIM TRAINING REQUIREMENT.—No vessel to which this section applies may enter a United States port on a voyage (or voyage segment) on which a United States citizen is a passenger unless there is at least 1 crewmember onboard who has been properly trained in the prevention detection, evidence preservation and the reporting requirements of criminal activities in the international maritime environment. The owner of a such a vessel shall maintain certification or other documentation, as prescribed by the Secretary, verifying the training of such individual and provide such documentation upon request for inspection in connection with enforcement of the provisions of this section. This subsection shall take effect 1 year after the date of enactment of the Cruise Vessel Safety and Security Act of 2010 and shall remain in effect until superseded by the requirements of subsection (c).

''(e) CIVIL PENALTY.—Any person that violates this section or a regulation under this section shall be liable for a civil penalty of not more than $50,000.

''(f) DENIAL OF ENTRY.—The Secretary may deny entry into the United States to a vessel to which this section applies if the owner of the vessel—

''(1) commits an act or omission for which a penalty may be imposed under subsection (e); or

''(2) fails to pay a penalty imposed on the owner under subsection (e).''.

(b) CLERICAL AMENDMENT.—The table of contents for such chapter is amended by adding at the end the following:

''3507. Passenger vessel security and safety requirements

''3508. Crime scene preservation training for passenger vessel crewmembers''.

SEC. 4. OFFSET OF ADMINISTRATIVE COSTS.

(a) REPEAL OF CERTAIN REPORT REQUIREMENTS.—

(1) Section 1130 of the Coast Guard Authorization Act of 1996 (33 U.S.C. 2720 note) is amended by striking subsection (b).

(2) Section 112 of the Maritime Transportation Security Act of 2002 (46 U.S.C. 70101 note) is repealed.

(3) Section 676 of title 14, United States Code, is amended by striking subsection (d).

(4) Section 355 of title 37, United States Code, is amended by striking subsection (h) and redesignating subsection (i) as subsection (h).

(5) Section 205 of the Coast Guard and Maritime Transportation Act of 2004 (14 U.S.C. 637 note) is amended by striking subsection (d).

(b) COMBINATION OF FISHERIES ENFORCEMENT PLANS AND FOREIGN FISHING INCURSION REPORTS.—The Secretary of the department in which the Coast Guard is operating shall combine the reports required under section 224 of the Coast Guard and Maritime Transportation Act of 2004 (16 U.S.C. 1861b) and section 804 of the Coast Guard and Maritime Transportation Act of 2004 (16 U.S.C. 1828) into a single annual report for fiscal years beginning after fiscal year 2010.

SEC. 5. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 4340. Mr. LEVIN (for himself, Mr. KAUFMAN, Mr. NELSON of Florida, Mrs. SHAHEEN, Mrs. MCCASKILL, Mr. WHITEHOUSE, and Mr. REED) submitted an amendment intended to be proposed by him to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, insert the following:

TITLE ___—AUTHORIZING SPECIAL MEASURES FOR JURISDICTIONS, FINANCIAL INSTITUTIONS, INTERNATIONAL TRANSACTIONS, OR TYPES OF ACCOUNTS THAT ARE OF PRIMARY MONEY LAUNDERING CONCERN OR IMPEDE UNITED STATES TAX ENFORCEMENT

SEC. ____. AUTHORIZING SPECIAL MEASURES FOR JURISDICTIONS, FINANCIAL INSTITUTIONS, INTERNATIONAL TRANSACTIONS, OR TYPES OF ACCOUNTS THAT ARE OF PRIMARY MONEY LAUNDERING CONCERN OR IMPEDE UNITED STATES TAX ENFORCEMENT.

Section 5318A of title 31, United States Code, is amended—

(1) by striking the section heading and inserting the following:

''§ 5318A. Special measures for jurisdictions, financial institutions, or international transactions that are of primary money laundering concern or impede United States tax enforcement'';

(2) in subsection (a), by striking the subsection heading and inserting the following:

''(a) SPECIAL MEASURES TO COUNTER MONEY LAUNDERING AND EFFORTS TO IMPEDE UNITED STATES TAX ENFORCEMENT.—'';

(3) in subsection (c), by striking the subsection heading and inserting the following:

''(c) CONSULTATIONS AND INFORMATION TO BE CONSIDERED IN FINDING JURISDICTIONS, INSTITUTIONS, TYPES OF ACCOUNTS, OR TRANSACTIONS TO BE OF PRIMARY MONEY LAUNDERING CONCERN OR TO BE IMPEDING UNITED STATES TAX ENFORCEMENT.—'';

(4) in subsection (a)(1), by inserting ''or is impeding United States tax enforcement'' after ''primary money laundering concern'';

(5) in subsection (a)(4)—

(A) in subparagraph (A)—

(i) by inserting ''in matters involving money laundering,'' before ''shall consult''; and

(ii) by striking ''and'' at the end;

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following:

''(B) in matters involving United States tax enforcement, shall consult with the Commissioner of the Internal Revenue, the Secretary of State, the Attorney General of the United States, and in the sole discretion of the Secretary, such other agencies and interested parties as the Secretary may find to be appropriate; and'';

(6) in each of paragraphs (1)(A), (2), (3), and (4) of subsection (b), by inserting ''or to be impeding United States tax enforcement'' after ''primary money laundering concern'' each place that term appears;

(7) in subsection (b), by striking paragraph (5) and inserting the following:

''(5) PROHIBITIONS OR CONDITIONS ON OPENING OR MAINTAINING CERTAIN CORRESPONDENT OR PAYABLE-THROUGH ACCOUNTS OR AUTHORIZING CERTAIN PAYMENT CARDS.—If the Secretary finds a jurisdiction outside of the United States, 1 or more financial institutions operating outside of the United States, or 1 or more classes of transactions within or involving a jurisdiction outside of the United States to be of primary money laundering concern or to be impeding United States tax enforcement, the Secretary, in consultation with the Secretary of State, the Attorney General of the United States, and the Chairman of the Board of Governors of the Federal Reserve System, may prohibit, or impose conditions upon—

''(A) the opening or maintaining in the United States of a correspondent account or payable-through account; or

''(B) the authorization, approval, or use in the United States of a credit card, charge card, debit card, or similar credit or debit financial instrument by any domestic financial institution, financial agency, or credit card company or association, for or on behalf of a foreign banking institution, if such correspondent account, payable-through account, credit card, charge card, debit card, or similar credit or debit financial instrument, involves any such jurisdiction or institution, or if any such transaction may be conducted through such correspondent account, payable-through account, credit card, charge card, debit card, or similar credit or debit financial instrument.''; and

(8) in subsection (c)(1), by inserting ''or is impeding United States tax enforcement'' after ''primary money laundering concern'';

(9) in subsection (c)(2)(A)—

(A) in clause (ii), by striking ''bank secrecy or special regulatory advantages'' and inserting ''bank, tax, corporate, trust, or financial secrecy or regulatory advantages'';

(B) in clause (iii), by striking ''supervisory and counter-money'' and inserting ''supervisory, international tax enforcement, and counter-money'';

(C) in clause (v), by striking ''banking or secrecy'' and inserting ''banking, tax, or secrecy''; and

(D) in clause (vi), by inserting '', tax treaty, or tax information exchange agreement'' after ''treaty'';

(10) in subsection (c)(2)(B)—

(A) in clause (i), by inserting ''or tax evasion'' after ''money laundering''; and

(B) in clause (iii), by inserting '', tax evasion,'' after ''money laundering''; and

(11) in subsection (d), by inserting ''involving money laundering, and shall notify, in writing, the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives of any such action involving United States tax enforcement'' after ''such action''.

SA 4341. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

SEC. _____. TAXATION OF INCOME OF CONTROLLED FOREIGN CORPORATIONS ATTRIBUTABLE TO IMPORTED PROPERTY.

(a) GENERAL RULE.—Subsection (a) of section 954 (defining foreign base company income) is amended by striking the period at the end of paragraph (5) and inserting '', and'', by redesignating paragraph (5) as paragraph (4), and by adding at the end the following new paragraph:

''(5) imported property income for the taxable year (determined under subsection (j) and reduced as provided in subsection (b)(5)).''.

(b) DEFINITION OF IMPORTED PROPERTY INCOME.—Section 954 is amended by adding at the end the following new subsection:

''(j) IMPORTED PROPERTY INCOME.—

''(1) IN GENERAL.—For purposes of subsection (a)(5), the term 'imported property income' means income (whether in the form of profits, commissions, fees, or otherwise) derived in connection with—

''(A) manufacturing, producing, growing, or extracting imported property;

''(B) the sale, exchange, or other disposition of imported property; or

''(C) the lease, rental, or licensing of imported property.

Such term shall not include any foreign oil and gas extraction income (within the meaning of section 907(c)) or any foreign oil related income (within the meaning of section 907(c)).

''(2) IMPORTED PROPERTY.—For purposes of this subsection—

''(A) IN GENERAL.—Except as otherwise provided in this paragraph, the term 'imported property' means property which is imported into the United States by the controlled foreign corporation or a related person.

''(B) IMPORTED PROPERTY INCLUDES CERTAIN PROPERTY IMPORTED BY UNRELATED PERSONS.—The term 'imported property' includes any property imported into the United States by an unrelated person if, when such property was sold to the unrelated person by the controlled foreign corporation (or a related person), it was reasonable to expect that—

''(i) such property would be imported into the United States; or

''(ii) such property would be used as a component in other property which would be imported into the United States.

''(C) EXCEPTION FOR PROPERTY SUBSEQUENTLY EXPORTED.—The term 'imported property' does not include any property which is imported into the United States and which—

''(i) before substantial use in the United States, is sold, leased, or rented by the controlled foreign corporation or a related person for direct use, consumption, or disposition outside the United States; or

''(ii) is used by the controlled foreign corporation or a related person as a component in other property which is so sold, leased, or rented.

''(D) EXCEPTION FOR CERTAIN AGRICULTURAL COMMODITIES.—The term 'imported property' does not include any agricultural commodity which is not grown in the United States in commercially marketable quantities.

''(3) DEFINITIONS AND SPECIAL RULES.—

''(A) IMPORT.—For purposes of this subsection, the term 'import' means entering, or withdrawal from warehouse, for consumption or use. Such term includes any grant of the right to use intangible property (as defined in section 936(h)(3)(B)) in the United States.

''(B) UNITED STATES.—For purposes of this subsection, the term 'United States' includes the Commonwealth of Puerto Rico, the Virgin Islands of the United States, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''(C) UNRELATED PERSON.—For purposes of this subsection, the term 'unrelated person' means any person who is not a related person with respect to the controlled foreign corporation.

''(D) COORDINATION WITH FOREIGN BASE COMPANY SALES INCOME.—For purposes of this section, the term 'foreign base company sales income' shall not include any imported property income.''.

(c) SEPARATE APPLICATION OF LIMITATIONS ON FOREIGN TAX CREDIT FOR IMPORTED PROPERTY INCOME.—

(1) IN GENERAL.—Paragraph (1) of section 904(d) (relating to separate application of section with respect to certain categories of income) is amended by striking ''and'' at the end of subparagraph (A), by redesignating subparagraph (B) as subparagraph (C), and by inserting after subparagraph (A) the following new subparagraph:

''(B) imported property income, and''.

(2) IMPORTED PROPERTY INCOME DEFINED.—Paragraph (2) of section 904(d) is amended by redesignating subparagraphs (I), (J), and (K) as subparagraphs (J), (K), and (L), respectively, and by inserting after subparagraph (H) the following new subparagraph:

''(I) IMPORTED PROPERTY INCOME.—The term 'imported property income' means any income received or accrued by any person which is of a kind which would be imported property income (as defined in section 954(j)).''.

(3) CONFORMING AMENDMENT.—Clause (ii) of section 904(d)(2)(A) is amended by inserting ''or imported property income'' after ''passive category income''.

(d) TECHNICAL AMENDMENTS.—

(1) Clause (iii) of section 952(c)(1)(B) (relating to certain prior year deficits may be taken into account) is amended—

(A) by redesignating subclauses (II), (III), (IV), and (V) as subclauses (III), (IV), (V), and (VI), and

(B) by inserting after subclause (I) the following new subclause:

''(II) imported property income,''.

(2) The last sentence of paragraph (4) of section 954(b) (relating to exception for certain income subject to high foreign taxes) is amended by striking ''subsection (a)(5)'' and inserting ''subsection (a)(4)''.

(3) Paragraph (5) of section 954(b) (relating to deductions to be taken into account) is amended by striking ''and the foreign base company oil related income'' and inserting ''the foreign base company oil related income, and the imported property income''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of foreign corporations beginning after the date of the enactment of this Act, and to taxable years of United States shareholders within which or with which such taxable years of such foreign corporations end.

SA 4342. Ms. SNOWE (for herself, Mr. ENZI, and Mr. ENSIGN) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 413.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. BOXER. 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 June 10, 2010, at 10 a.m. in room 253 of the Russell Senate Office Building.

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

COMMITTEE ON FINANCE

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on June 10, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The U.S.-China Economic Relationship: A New Approach for A New China.''

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 10, 2010, at 10 a.m., to hold a hearing entitled ''Strategic Arms Control and National Security (Treaty Doc. 111–5).''

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. BOXER. 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, to conduct a hearing entitled ''Production over Protections: A Review of Process Safety Management in the Oil and Gas Industry'' on June 10, 2010. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. BOXER. 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 June 10, 2010, at 2:30 p.m.

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

COMMITTEE ON INDIAN AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized

to meet during the session of the Senate on June 10, 2010, at 3 p.m. in room 628 of the Dirksen Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on June 10, 2010, at 10 a.m. in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

AD HOC SUBCOMMITTEE ON STATE, LOCAL, AND PRIVATE SECTOR PREPAREDNESS AND INTEGRATION

Mrs. BOXER. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 10, 2010, at 10 a.m. to conduct a hearing entitled, ''Deep Impact: Assessing the Effects of the Deepwater Horizon Oil Spill on States, Localities and the Private Sector.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mrs. BOXER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 10, 2010, at 2:30 p.m.

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

PRIVILEGES OF THE FLOOR

Mrs. BOXER. Mr. President, I ask unanimous consent that Julie DeMeester, a fellow in Senator DURBIN's office, be granted the privilege of the floor for the duration of the Murkowski resolution debate.

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

Mrs. BOXER. Mr. President, I ask unanimous consent, on behalf of Senator BAUCUS, that a fellow, Andrew Erickson, be granted the privileges of the floor during the consideration of this resolution.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. DORGAN. Mr. President, I ask unanimous consent the Senate proceed to executive session to consider Calendar No. 932 and all nominations on the Secretary's desk in the Coast Guard and NOAA; 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 any statements relating to the nominations be printed in the RECORD, and that the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed en bloc are as follows:

IN THE COAST GUARD

The following named officers for appointment in the United States Coast Guard to the grade indicated under section 271, title 14, U.S.C.:

To be rear admiral

Rear Adm. (lh) Joseph R. Castillo
Rear Adm. (lh) Daniel R. May
Rear Adm. (lh) Roy A. Nash
Rear Adm. (lh) Peter F. Neffenger
Rear Adm. (lh) Charles W. Ray
Rear Adm. (lh) Keith A. Taylor

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE COAST GUARD

PN1771 COAST GUARD nominations (4) beginning Emily S. McIntyre, and ending Scott J. McCann, which nominations were received by the Senate and appeared in the Congressional Record of May 13, 2010.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

PN1622 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION nominations (20) beginning REBECCA J. ALMEIDA, and ending OLIVER E. BROWN, which nominations were received by the Senate and appeared in the Congressional Record of April 14, 2010.

PN1732 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION nominations (16) beginning TIMOTHY C. SINQUEFIELD, and ending LARRY V. THOMAS JR., which nominations were received by the Senate and appeared in the Congressional Record of April 29, 2010.

Mr. DORGAN. I ask unanimous consent that on Tuesday, June 15, at 11:30 a.m., the Senate proceed to executive session and debate concurrently the following nominations on the Executive Calendar for a total of 20 minutes, with the time equally divided and controlled between Senators LEAHY and SESSIONS or their designees: Calendar No. 732, Tanya Pratt; Calendar No. 775, Brian Jackson; and Calendar No. 776, Elizabeth Foote; that upon the use or yielding back of time, the Senate proceed to vote on confirmation of the nominations in the order listed, and that after the first vote, the succeeding votes be limited to 10 minutes each; that upon confirmation, the motions to reconsider be considered made and laid upon the table, 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.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

CRUISE VESSEL SECURITY AND SAFETY ACT OF 2010

Mr. DORGAN. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 211, H.R. 3360.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3360) to amend title 46, United States Code, to establish requirements to ensure the security and safety of passengers and crew on cruise vessels, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, I am pleased to support the Cruise Vessel Security and Safety Act of 2010 and glad to join the full Senate today in passing this important bill. This legislation will improve the safety of Americans traveling on cruise ships by increasing security and crime reporting regulations.

Far too many incidents of sexual assault and other serious crimes continue to occur on board cruise ships despite ongoing media and Congressional attention to this problem. I have long worked to improve protections for crime victims through landmark legislation including the Victims of Crime Act and the Violence Against Women Act. I applaud Senator KERRY for his leadership in ensuring those protections extend to Americans traveling aboard cruise ships.

This important legislation will require the cruise industry to comply with a number of commonsense security provisions, such as providing peep holes and locks in sleeping cabins, and it mandates cruise vessel personnel to contact both the FBI and the U.S. Coast Guard as soon as a serious crime is reported.

I am particularly pleased to see that the legislation will improve the treatment and protections victims receive on board a cruise ship following a crime. For example, a licensed medical practitioner will be required on board all ships to provide immediate treatment, including medications to prevent sexually transmitted diseases after an assault and to conduct forensic examinations to help collect critical evidence for later prosecution. I have worked hard to ensure that these kinds of services to assist victims and to facilitate successful prosecution of those who commit terrible crimes are available throughout the country. I am glad that this bill will help ensure that Americans traveling at sea receive these same vital services.

These important commonsense provisions will help prevent further crimes from happening by improving security measures on our country's cruise ships, while also improving our ability to hold the perpetrators of these serious crimes accountable. I am pleased to support this important legislation.

Mr. DORGAN. Mr. President, I ask unanimous consent the Rockefeller substitute amendment which is at the desk be agreed to, the bill, as amended, be read a third time, the bill be passed, the motions to reconsider be laid upon

the table, with no intervening action or debate, and any statements be printed in the RECORD as if read.

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

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

Mr. CONRAD. Mr. President, this is the Statement of Budgetary Effects of PAYGO Legislation for H.R. 3360, the Cruise Vessel Security and Safety Act of 2010, as amended. This statement has been prepared pursuant to Section 4 of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111–139), and is being submitted for printing in the Congressional Record prior to passage of H.R. 3360, as amended, by the Senate.

Total Budgetary Effects of H.R. 3360, as amended, for the 5-year Statutory PAYGO Scorecard: $0.

Total Budgetary Effects of H.R. 3360, as amended, for the 10-year Statutory PAYGO Scorecard: $0.

Also submitted for the Record as part of this statement is a table prepared by the Congressional Budget Office, which provides additional information on the budgetary effects of this Act.

CBO ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR H.R. 3360, THE CRUISE VESSEL SECURITY AND SAFETY ACT OF 2010, AS PROVIDED TO CBO BY THE SENATE BUDGET COMMITTEE ON JUNE 9, 2010

[Version: June 8, 2010 4:53 pm]

	By fiscal year, in millions of dollars—												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
Net Increase or Decrease (−) in the Deficit													
Statutory Pay-As-You-Go Impact	0	0	0	0	0	0	0	0	0	0	0	0	0

Note: H.R. 3360 would address the safety of passengers and crew members on vessels. The bill would establish new criminal and civil penalties, but CBO estimates that any new revenues or direct spending would be less than $500,000 annually.

The amendment (No. 4339) was agreed to.

(The text of the amendment is printed in today's RECORD under ''Text of Amendments.'')

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

The bill (H.R. 3360), as amended, was read the third time and passed.

NATIONAL HEALTH INFORMATION TECHNOLOGY WEEK

Mr. DORGAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 550 submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 550) designating the week beginning on June 14, 2010, ending on June 18, 2010, as ''National Health Information Technology Week'' to recognize the value of health information technology to improving health quality.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DORGAN. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The resolution (S. Res. 550) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 550

Whereas the Healthcare Information and Management Systems Society has collaborated with more than 5 dozen healthcare organizations for almost 50 years to transform health care by improving information technology and management systems;

Whereas the Center for Information Technology Leadership estimates that the implementation of national standards for interoperability and the exchange of health information would save the United States approximately $77,000,000,000 in expenses relating to health care each year;

Whereas health care information technology and management systems have been recognized as essential tools for improving the quality and cost efficiency of the health care system;

Whereas Congress has made a commitment to leveraging the benefits of the health care information technology and management systems, including through the adoption of electronic medical records that will help to reduce costs and improve quality while ensuring privacy of patients and codification of the Office of the National Coordinator for Health Information Technology;

Whereas Congress has emphasized improving the quality and safety of delivery of health care in the United States; and

Whereas since 2006, organizations across the United States have united to support National Health Information Technology Week to improve public awareness of the benefits of improved quality and cost efficiency of the health care system that the implementation of health information technology could achieve: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning on June 14, 2010, and ending on June 18, 2010, as ''National Health Information Technology Week'';

(2) recognizes the value of information technology and management systems in transforming health care for the people of the United States; and

(3) calls on all interested parties to promote the use of information technology and management systems to transform the health care system in the United States.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, upon the recommendation of the Republican leader, pursuant to Public Law 105–292, as amended by Public Law 106–55, and as further amended by Public Law 107–228, appoints the following individual to the United States Commission on International Religious Freedom: Leonard A. Leo of Virginia Vice Preeta D. Bansal.

ORDERS FOR MONDAY, JUNE 14, 2010

Mr. DORGAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 2 p.m. Monday, June 14; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business until 3 p.m., with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees. I further ask that following morning business the Senate resume consideration of the House message to accompany H.R. 4213, the extenders package.

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

PROGRAM

Mr. DORGAN. As a reminder, there will be no rollcall votes during Monday's session. However, the bill manager will be here in the Chamber of the Senate to continue working through amendments on the extenders bill. The next rollcall votes will occur around 11:50 a.m. Tuesday, June 15, on the confirmation of several judicial nominations.

ADJOURNMENT UNTIL MONDAY, JUNE 14, 2010, AT 2 P.M.

Mr. DORGAN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:05 p.m., adjourned until Monday, June 14, 2010, at 2 p.m.

NOMINATIONS

Executive nomination received by the Senate:

THE JUDICIARY

JAMES E. GRAVES, JR., OF MISSISSIPPI, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT, VICE RHESA H. BARKSDALE, RETIRED.

CONFIRMATIONS

Executive nominations confirmed by the Senate, Thursday, June 10, 2010:

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER SECTION 271, TITLE 14, U.S.C.:

To be rear admiral

REAR ADM. (LH) JOSEPH R. CASTILLO
REAR ADM. (LH) DANIEL R. MAY
REAR ADM. (LH) ROY A. NASH
REAR ADM. (LH) PETER F. NEFFENGER
REAR ADM. (LH) CHARLES W. RAY
REAR ADM. (LH) KEITH A. TAYLOR

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

COAST GUARD NOMINATIONS BEGINNING WITH EMILY S. MCINTYRE AND ENDING WITH SCOTT J. MCCANN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 13, 2010.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION NOMINATIONS BEGINNING WITH REBECCA J. ALMEIDA AND ENDING WITH OLIVER E. BROWN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 14, 2010.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION NOMINATIONS BEGINNING WITH TIMOTHY C. SINQUEFIELD AND ENDING WITH LARRY V. THOMAS, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 29, 2010.

EXTENSIONS OF REMARKS

STATEMENT ON EFFIE LEE MORRIS

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Ms. PELOSI. Madam Speaker, I rise to pay tribute to a longtime literary advocate and community leader, Effie Lee Morris, who died in San Francisco last November 10. On June 14, family, friends and San Francisco dignitaries will gather at the San Francisco Public Library to celebrate her lifetime of work as a librarian and advocate for underserved children and the visually impaired. They will pay tribute to her life as a visionary who recognized the power of literacy and education in overcoming racism, inequality and poverty.

Morris began her life's work as a literary activist as a public librarian in Cleveland, Ohio more than 60 years ago. Recognizing that education is the most important investment we can make in our future, she focused primarily on children's literacy in African American communities and low-income urban areas, and helped to establish the first Negro History Week. In 1955, she moved to New York City where she worked for the New York Public Library. There she continued to work with children and began advocating for the rights of the visually impaired, eventually becoming a children's specialist at the New York Public Library's Library for the Blind from 1958 to 1963.

In 1963, San Francisco was blessed when Morris arrived in our city and became the first Coordinator of Children's Services at our Public Library, where she established the Children's Historical and Research Collection. It stands in tribute to her today. The children's literature section that she created is named in her honor.

In 1968, Morris helped found the San Francisco Chapter of the Women's National Book Association and served as the first African American president of the Public Library Association.

Upon retirement, Morris continued to serve the San Francisco Bay Area community, and taught courses on children's literature at Mills College and the University of San Francisco. Morris served as the first female chairperson of the Library of Congress as well as the President of the National Braille Association for two terms. She also served on the California State Library Board, and was a lifetime member of the San Francisco African American Historical and Cultural Society.

We grieve Effie Lee Morris' passing, but celebrate her legacy, which will live on in the many lives she touched.

RECOGNIZING COLONEL STEVEN SMITH'S SERVICE TO FORT HAMILTON

HON. MICHAEL E. McMAHON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. McMAHON. Madam Speaker, I rise today to pay tribute to Colonel Steven V. Smith, Installation Commander, at Fort Hamilton, located in my district of Brooklyn, New York. Fort Hamilton is the only active military base in New York City. Colonel Smith is leaving his post as Installation Commander to return to his alma mater, Norwich University in Northfield, Vermont to prepare the next generation of graduates and officers for the United States Military.

In 1984, Colonel Stephen V. Smith graduated from Norwich University where he earned a Bachelor of Science degree in Business Administration. Upon graduating, he was commissioned a Second Lieutenant in the U.S. Army Infantry. He went on to pursue a Master of Science from Rensselaer Polytechnic Institute, and a Master's of Strategic Studies from the U.S. Army War College.

Colonel Smith started his career at Fort Carson, Colorado, where he was a Rifle Platoon Leader, Executive Officer, and Mortar Platoon Leader, 2nd Battalion, 8th Infantry.

During his distinguished career, Colonel Smith was deployed to Bosnia as the 10th Mountain G4 Plans Officer. He also served as Executive Officer of the 10th Division Support Command, and the G4 (Logistics Officer) for the 10th Mountain Division where he was deployed in support of Operation Enduring Freedom in 2001.

In June of 2008, Colonel Smith became, Installation Commander at Fort Hamilton, Brooklyn, New York. During his time at his final Military assignment, he was instrumental in providing a location for a second National Guard Civil Support Team (Weapons of Mass Destruction) which gave New York City's first responders a vital resource to utilize in the event of a terrorist attack.

Colonel Smith's awards and decorations include the Legion of Merit, the Bronze Star, the Meritorious Service Medal (4th Oak Leaf Cluster), the Army Commendation Medal (1st Oak Leaf Cluster), the Army Achievement Medal, the National Defense Service Medal, Armed Forces Expeditionary Medal, Global War on Terror Expeditionary Medal, Korean Defense Service Medal, Humanitarian Service Medal, Army Service and Overseas Ribbons, NATO Medal, Air Assault and Airborne badges and the Ranger Tab.

Madam Speaker, I would like to take this opportunity to thank Colonel Smith for his service to New York City and the Fort Hamilton Community. Besides being an active base in America's largest city, Fort Hamilton is also a community treasure for the neighborhoods and people of South Brooklyn. Under Colonel Smith's leadership many community organizations have been able to utilize the wonderful resources of this historic base and he has fostered a strong sprit of patriotism in support of our men and women in uniform throughout the broader community.

He has worked to upgrade housing on the base for active duty Members as well as rehabilitate the historic officers clubhouse which is a resource for not only the base but for many community organizations.

Colonel Smith truly represents the best and the brightest of the United States Army and he will continue to serve this Country with honors. I wish Colonel Smith, his wife Donna, daughters Elizabeth and Colleen and son Matthew the best of luck in his next pursuit. The students and faculty of Norwich University are incredibly lucky to gain the talent, dedication and leadership of my friend Colonel Stephen Smith.

FHA REFORM ACT OF 2010

SPEECH OF

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2010

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5072) to improve the financial safety and soundness of the FHA mortgage insurance program:

Mr. LANGEVIN. Madam Chair, I rise in strong support of H.R. 5072, the FHA Reform Act, which will strengthen the rules and financial stability of the Federal Housing Administration's programs. H.R. 5072 will help tighten FHA underwriting standards, rebuild its capital reserves and assist in the recovery of the housing market. This measure has bipartisan support and has received numerous endorsements from housing and real estate organizations.

H.R. 5072 would empower FHA to improve its financial position by allowing the agency to adjust their premium structure for new borrowers, while still providing affordable mortgage insurance to the individuals FHA is intended to serve. This measure also provides FHA with enhanced authority to terminate FHA lenders if evidence of fraud or noncompliance is discovered. It will also improve FHA's internal reporting systems to better manage risk and provide transparent data to the public and to Congress.

Over the years, FHA has played a key role in supporting housing finance opportunities to underserved families and assisting first time homebuyers. Most recently, FHA has helped stabilize our housing market, and reform is needed to strengthen its solvency. FHA has already implemented an unprecedented number of credit policy and risk management changes to ensure its effectiveness and soundness and to protect the American taxpayer. The FHA Reform Act builds upon these necessary changes.

● 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.

In my home State of Rhode Island, we were hit early and hard by the housing and economic crises. We currently have the fourth highest unemployment rate and one of the highest foreclosure rates in the country. Congress has an important role to play in helping Rhode Island families regain financial ground, and this bill is an important ingredient in stabilizing our housing market. The FHA Reform Act will ensure that responsible families have the opportunity to purchase a home, but also put into place the appropriate measures to prevent future crises. I urge all my colleagues to support this bill.

HONORING THE SERVICE AND SACRIFICE OF UNITED STATES ARMY SERGEANT RAY HICKS

HON. GABRIELLE GIFFORDS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Ms. GIFFORDS. Madam Speaker, I rise today to honor United States Army Sergeant Ray Hicks, who passed away on April 24, 2010.

Son of Jimmy and Aurelia Hicks of the Federated States of Micronesia, Ray was a Multichannel Transmission Systems Operator-Maintainer who trained at Fort Jackson, South Carolina and Fort Gordon, Georgia before being assigned to Fort Huachuca, Arizona.

He joined the Army in June 2006 in my district in southern Arizona and is remembered fondly by his officers, NCOs and fellow soldiers.

According to his Battalion Commander, Sergeant Hicks was a devoted friend and soldier who would always lend a helping hand and who was greatly respected and admired by many.

We remember Sergeant Ray Hicks and offer our deepest condolences and sincerest prayers to his family. My words cannot effectively convey the feeling of great loss nor can they offer adequate consolation. However, it is my hope that in future days, his family may take some comfort in knowing that Ray made a difference in the lives of many others and serves as an example of a competent and caring leader and friend that will live on in the hearts and minds of all those he touched.

This body and this country owe Ray and his family a debt of gratitude and it is vital that we remember him and his service to his country.

Sergeant Ray Hicks leaves behind his beloved wife Tressia, his daughter Anana, his parents Jimmy and Aurelia and many aunts, uncles, cousins and friends.

PERSONAL EXPLANATION

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. LATTA. Madam Speaker, on Friday, May 28, 2010, I missed a series of votes on account of traveling back to Ohio to attend my daughter's high school graduation. If I had been present, I would have voted ''no'' on Rollcall No. 324, ''no'' on Rollcall No. 325, ''aye'' on Rollcall No. 326, ''aye'' on Rollcall No. 327, ''aye'' on Rollcall No. 328, ''aye'' on Rollcall No. 329, ''aye'' on Rollcall No. 330, ''aye'' on Rollcall No. 331, ''no'' on Rollcall No. 332, ''aye'' on Rollcall No. 333, ''no'' on Rollcall No. 334, ''aye'' on Rollcall No. 335, and ''no'' on Rollcall No. 336.

IN RECOGNITION OF DR. CAROLYN GARVER

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. SESSIONS. Madam Speaker, I rise today to recognize Dr. Carolyn Garver for her hard work and dedication to advocating on behalf of children with autism.

Dr. Garver's lifelong passion of working with children with autism began in 1979 when she joined the Autism Treatment Center, where she currently serves as Program Director. In addition to her years of experience, she is a licensed Child Care Administrator and holds a Ph.D. in Health Studies. Dr. Garver is a recognized expert in autism and has presented at numerous national and international forums, most notably at the Indo-U.S. Science and Technology Forum in New Delhi, India in September 2006. She also presented at the 2008 Texas State Conference on Autism and the Texas State Head Start Association on Autism Spectrum Disorder. She also serves on the Advisory Task Force at Texas Tech University's Burkhart Center's Autism Program and is a Board Member of the Dallas Chapter of the Autism Society of America.

Dr. Garver has devoted her life to this worthy cause, working closely with families, individuals, and agencies. She is a tireless advocate and a remarkable woman that possesses great compassion, patience, knowledge, and hope—hope for a brighter future for individuals with autism.

Madam Speaker, I ask my esteemed colleagues to join me in recognizing Dr. Carolyn Garver for her dedicated efforts to empowering individuals with autism and helping them reach their full potential.

HONORING THE 75TH ANNIVERSARY OF BOY SCOUT TROOP 58 OF PHOENIXVILLE

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. GERLACH. Madam Speaker, I rise today to honor Boy Scout Troop 58 of Phoenixville, Chester County as they celebrate their 75th anniversary.

Chartered by the Knights of Columbus #1374, Troop 58 is the oldest Scouting organization serving the youth of Phoenixville.

The Troop has enriched the lives of several generations of boys and young men through activities geared toward building character, developing leadership skills and instilling a commitment to serving others.

In 1955, the Troop established a Dive and Rescue Unit with the help of Friendship Fire Company in the Borough and Scouts have received training from members of the Philadelphia Police Harbor Patrol.

The success of the Troop can be attributed to the dedicated volunteers and Troop alumni who graciously commit countless hours to area youth and the organization. The outstanding effort has resulted in 37 scouts earning their Eagle Scout Badges.

Madam Speaker, I ask that my colleagues join me today in congratulating Boy Scout Troop 58 on reaching this very special milestone and offering best wishes for continued success in mentoring generations of local youth and building a stronger community and nation.

IN MEMORY OF DR. ROBERT MINTURN LOCKWOOD III OF DENTON, TEXAS

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. BURGESS. Madam Speaker, I proudly rise today to honor the memory of Dr. Robert Minturn Lockwood III, a respected, active, and beloved member of the North Texas community.

Known as ''Doc Lock'' to friends, employees, and patients, Dr. Lockwood provided exceptional radiological health care in Denton, Texas for 52 years, and his legacy will persevere for years to come.

Dr. Lockwood was born on August 28, 1922 in Philadelphia, PA. A lifelong learner, he attended Harvard, graduated from the University of Pennsylvania Medical School, and twice earned the Physician's Recognition Award in Continuing Education.

In 1956, Dr. Lockwood arrived in Denton, Texas, and co-founded the Family Radiology Clinic. Dr. Lockwood was active in the Denton County Medical Society, and served as the President of the society for a number of years starting in 1966. Dr. Lockwood also belonged to multiple medical societies, including the American Medical Association, Texas Medical Association, and the Texas Radiological Society. After his first wife's death, Dr. Lockwood established Ann's Haven Hospice, which provides nonprofit home health care regardless of a patient's complex condition or ability to pay.

While Dr. Lockwood was a devoted medical professional, he also had many hobbies and interests. Described as a jolly man with an excellent sense of humor, Dr. Lockwood was an avid reader, fossil collector, gardener, birdwatcher, poet and playwright. He loved music, language and the arts, and was beloved by all who knew him.

Dr. Lockwood is survived by his wife, Sandy; his children, Ben Lockwood, Millie Lockwood, Rachel Cross and her husband John; and his granddaughter, Anna Morshedi and her husband Grant.

Madam Speaker, it is with great honor that I rise today to remember Dr. Robert Minturn Lockwood III, for his remarkable legacy and service to the community of North Texas. I am proud to represent such an outstanding citizen from the 26th District of Texas in the United States House of Representatives.

THE ISRAEL BLOCKADE AND THE FLOTILLA

SPEECH OF

HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2010

Mr. FORBES. Mr. Speaker, over the past week and a half, in response to the regrettable loss of lives off the coast of Gaza, there has been much controversy and speculation over Israel's right to self defense. Yet we are reminded again of the situation Israeli families face every single day.

Imagine two young parents living each day going through their mental check list of how to protect their children. Is the path to the shelter clear? Do they know each other's schedules so they can find them if there is a missile strike? Do the schools have their emergency numbers? Have they taught the kids enough to react quickly in the event of a strike, but not too much to scare them?

While the kids are at school they worry about hearing sirens of an imminent attack from a neighboring territory and are always worried that it will come when they can't physically protect their children.

When this happened in America in the early 1960s these were my parents' fears. But with all of these fears they knew that the United States would do what was necessary to protect our families and our country. It would prevent the weapons from falling into the hands of people who wanted to destroy our way of life.

Like the United States during the Cuban Missile Crisis, the Israelis have blockaded the source of the threat to their homeland.

America was able to protect itself, and we must ensure that Israel has the ability to do the same.

IN HONOR OF FEDERICO'S DRIVE IN SHOE SERVICE

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. FARR. Madam Speaker, I rise today to congratulate Federico's Drive In Shoe Service, a local icon in my Central Coast Congressional District, on its 70th anniversary. Since 1940, Federico's has served the Monterey Bay area with exemplary craftsmanship, the highest quality materials, and quick and efficient service.

Charles Federico began his career at the age of fourteen. The young apprentice was assigned to the shoe shine stand for his first two years, and then graduated to replacing heels. Within ten years he had purchased his first store, handling shoe repair in one corner and selling fishing gear in another.

His business, then called Franklin Shoe Repair, expanded quickly; in 1957 he added the extra convenience of a drive-up window to his Monterey store which greatly increased the volume of business, and he also opened a second shop on the former Fort Ord Army Base. He paid particular attention to shop appearance, workmanship, merchandising and shop management. In 1958 he won the National Leather and Shoe Finders Association National Silver Cup Contest, as being the best shoe repair store in America. Over the years he and his son, Henry, have won 27 local and regional industry awards.

Members of my family have patronized Federico's shop for decades, and many of their customers cite their outstanding product knowledge and customer service as reasons for their loyalty. Charles is now ninety-three and his son, Henry, runs the shop. They have branched out into engraving trophies and sewing logo merchandise. Their employees carry on the traditions that won them the Silver Cup so many years ago.

Madam Speaker, I know my colleagues join me in wishing Federico's a very happy 70th Anniversary, and many more to come.

RECOGNIZING THE LIFE OF MR. LEON HINOTE

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. MILLER of Florida. Madam Speaker, it is with a heavy heart, that I rise to recognize the life and deeds of one of Santa Rosa County's most respected residents, Mr. Leon Hinote. Throughout his 89 years, Mr. Hinote spent his days as a true patriot and committed public servant. In his passing, Madam Speaker, I am proud to honor his lifetime as a compassionate and inspirational leader.

Born the fourth of seven children, Mr. Hinote's strong character began to take root in the soils of Santa Rosa County; fully blooming into the virtues of patriotism, diligence, kindness and faithfulness which have impacted so many. To many, he was more than just a neighbor. He was a friend to the faint hearted, a sturdy back to the heavy burdened, and a kind voice to a weary companion.

Mr. Leon Hinote is a remarkably special man that belongs to a remarkably special group—America's Greatest Generation. In 1942, Mr. Hinote enlisted into the U.S. Army. Not wanting to wade in the spotlight or expecting to be honored, he was always willing to put others before himself. It was not until recently, that Mr. Hinote was awarded with many of the honors he earned while bravely defending our great nation and her ideals.

While his distinguished military record is more than enough to warrant praise and admiration, Mr. Hinote did not stop serving the others around him. After leaving the military, Mr. Hinote not only served on the Milton City Council for two terms, but he was also elected Santa Rosa County sheriff. Admired by many, Mr. Hinote is a role model for the entire community of Northwest Florida and a rare example of someone who truly understands what it means to lead by example.

While we shall greatly miss Mr. Hinote, his legacy and his memory shall remain. His life that spanned eight decades will serve as a mirror for us all to gaze upon and find the full measure of a man. Madam Speaker, on behalf of the United States Congress and a grateful community, it is the highest privilege and with great pride that I honor the life of Mr. Leon Hinote. My wife Vicki and I extend our deepest sympathies to his loved ones and children: Clifton, Janet, and Theresa.

FHA REFORM ACT OF 2010

SPEECH OF

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2010

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5072) to improve the financial safety and soundness of the FHA mortgage insurance program:

Mr. BACA. Madam Chair, I rise in strong support of H.R. 5072, the FHA Reform Act.

The failed economic policies of the Bush administration and Republican-controlled Congresses, led this country into a deep recession where we experienced serious drops in housing value and unemployment.

The economic conditions caused the FHA to dip below acceptable capital reserves numbers.

But thanks to the leadership of HUD Secretary Donovan and FHA Commissioner Stevens, FHA has continued to operate in a safe and stable manner, continuing to provide mortgage insurance to credit-worthy homeowners.

Since 1934, the FHA has played a vital role in the nation's economy helping over 37 million Americans achieve the dream of homeownership.

FHA's role can be seen clearly today as they play a vital stabilizing role in the market and support homeownership for first-time buyers and underserved markets.

As our economy continues along the path of recovery, it is likely that the FHA will continue to play a large role in our housing market.

H.R. 5072 will make essential reforms to the FHA program, strengthening their finances, improving risk management, and rooting out the bad actors that helped cause this crisis in the first place.

The bill before us calls for an increase in FHA's authority to raise annual premiums enabling FHA to decrease entry barriers and upfront premiums.

This bill also enables the FHA to go further in the action they have already taken in increasing the FHA fund at an approximate value of $300 million per month.

Finally this bill will also strengthen FHA's ability to ensure responsible lending activity by withdrawing from lenders that repeatedly fail to follow responsible underwriting and financial standards.

I want to thank Ms. WATERS, Ms. CAPITO, and Mr. FRANK for their leadership and hard work in bringing this bill to the floor.

I encourage my colleagues to follow the leadership of Secretary Donovan and Commissioner Stevens and vote "yes" on H.R. 5072.

TRIBUTE TO FORMER CONGRESSMAN FRANK EVANS

HON. JOHN T. SALAZAR

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. SALAZAR. Madam Speaker, I wish to pay tribute to a dedicated public servant from the State of Colorado.

Former Congressman Frank Evans passed away on Tuesday, June 8, 2010.

Colorado and the city of Pueblo have lost a tremendously respected leader.

Congressman Evans led a remarkable life.

A Pueblo native, Congressman Evans served in the Navy, flying planes in the Pacific Theater of World War II.

He returned to Colorado to get his law degree from the University of Denver, before being elected to represent Pueblo in the State Assembly in 1960.

Named ''Outstanding Freshman of the Year,'' his colleagues and constituents alike were inspired by his dedication to public service.

From 1964–1978, the Congressman represented Colorado's third district in the U.S. House of Representatives, the seat in which I currently serve.

The tremendous impact his leadership has had on our district can still be felt to this day.

Congressman Evans was responsible for bringing the Government Printing Office Distribution Center to Pueblo, and he was the mastermind behind the popular Payment in Lieu of Taxes program that has brought federal dollars for federal lands to states like ours.

When serving in Congress, Congressman Evans was a fervent advocate for the people and Western way of life in the 3rd district of Colorado.

Never losing sight of issues that were important to Coloradans, he was also a true gentleman.

In the often contentious atmosphere of today's politics, Congressman Evans was an example to those of us who strive to serve the public.

His close friend said of him ''That was Frank. Always a gentleman. He wanted the facts. He wouldn't go after somebody just for partisan reasons.''

Congressman Evans never forgot where he came from, and he lived to serve others so that they could have a brighter future.

I am proud to serve in his former seat, and grateful for his legacy.

My condolences go out to his family during this difficult time.

He will be missed but his memory will live on through all of the lives that he touched in western Colorado.

REINTRODUCTION OF THE NUCLEAR USED FUEL PRIZE ACT OF 2010

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. BURGESS. Madam Speaker, I rise today to reintroduce legislation I first authored in the 110th Congress. As our country moves toward clean, reliable energy, a natural progression will be toward nuclear energy. Indeed, earlier this year, President Obama announced $8 billion in new federal loan guarantees for two new nuclear power plants in Georgia.

However, as we inevitably move toward greater use of nuclear energy, we cannot hide our heads in the sand about the need for safe, reliable ways to store and dispose of the waste created by such energy production.

Nuclear power is praised for its zero carbon emissions, but it comes at a price—radioactive fuel rods that will continue to emit dangerous radiation and be the source of radioactive debris for thousands of years. Congress designated Yucca Mountain, Nevada, as the nation's sole candidate site for a permanent high-level nuclear waste repository in 1987. The unused Yucca Mountain site has cost taxpayers an estimated $9 billion. Over $1.2 billion has been spent on the seventy-one claims filed against the Department of Energy for the failure to abide by the 1987 contract to dispose of spent nuclear fuel.

There remain deep concerns that Yucca Mountain does not present a long-term solution to nuclear waste because of uncertainty about the long-term geologic stability of the site. The amount of existing nuclear waste already exceeds the storage capacity at the site; moreover, the state of Nevada adamantly opposes the site, and other locations have not been offered. President Obama and the Secretary of Energy Steven Chu have both stated their objections to the proposed repository at Yucca Mountain, and President Obama stripped further funding for Yucca Mountain in the FY2010 budget.

Delay in authorizing a nuclear waste site has wasted an enormous sum of taxpayer dollars and resources. One proposed alternative to Yucca Mountain has been to reprocess spent nuclear fuel in order to recover usable fuel and cut down on the volume of waste. The issue remains complicated; reprocessing carries the potential of creating weapons-grade nuclear material thus presenting a global proliferation risk as other nations employ the technology. As the United States continues to dissuade other nations, namely Iran and North Korea, from nuclear reprocessing, we take a dangerous political risk in engaging in the process ourselves.

The legislation I am reintroducing today would encourage the creation of an efficient and safe process to store nuclear waste. The Nuclear Used Fuel Prize Act of 2010 would set up a competition to design the best way to remove and store nuclear waste. I am a strong supporter of nuclear power and I look forward to working toward finding a solution to storing nuclear waste. I believe this legislation will provide the incentives to find permanent solutions to our energy needs.

WORLD OCEAN DAY

SPEECH OF

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2010

Mr. HASTINGS of Florida. Mr. Speaker, World Ocean Day has been acknowledged annually around the world since 1992. Officially celebrated by the United Nations for the first time in 2009, World Ocean Day this year falls on June 8. This serves as an opportunity to recognize all that the oceans have given us, to acknowledge the crucial role the oceans play in our survival as a species and society, and to affirm our intent to ensure the oceans themselves survive.

A source for food, recreation, scientific and educational opportunities, the oceans are a fundamental building block of our society. Human beings have depended upon the waters for their livelihoods since the earliest days. Our forefathers crossed and fished them in generally the same manner that we do today. It's a testament to the fortitude of the oceans that they can persist when our technology and cultures have changed so much. That resiliency, however, is far from infinite. Should the oceans become no longer able to sustain life, we would very quickly feel the consequences.

The oceans are also often the beginning and end of discussions on ''the environment.'' Home to so many natural wonders and inherent beauty, the world's oceans are justifiably precious. And as such an integral element in global climate change, the oceans are a primary concern for environmentalists and nature-lovers alike. They deserve and need our absolute devotion.

Because of all we have taken from them and because we are the only ones with the capacity to do so, human beings are the de facto caretakers of the oceans. With that responsibility, we must protect them and ensure their viability. The oceans have been subjected to so much—acidification, global warming, pollution. We must make sure the oceans can contribute to our grandchildren's grandchildren as they've done for us and our ancestors.

We have been shown by recent events how fragile and delicate our oceans truly are and how quickly devastation can set in. We can see how much we still don't know about these bodies that make up the vast majority of our planet. Let us take World Ocean Day to enjoy the beauty of the innumerable mysteries hidden only in the deeps and make sure we do our part to look after them. By so doing, we act on behalf of the future of Earth.

CONGRATULATIONS TO PHIL DUDLEY

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. SMITH of Nebraska. Madam Speaker, I rise today to recognize Hastings College President Phil Dudley for his exemplary service to Nebraska students and his community as a whole.

President Dudley has announced his retirement after nearly 40 years of dedication to Hastings College, including 10 years as President. His service is precluded by his doctoral education in economics and many leadership positions within Hastings College and the surrounding community.

As Hastings College President, President Dudley is credited for the construction of the Osborne Family Sports Complex, Barrett Family Alumni Center, Bronco Village Apartments, and the Morrison-Reeves Science Center.

President Dudley's embrace and promotion of service learning on the campus has led Hastings College students and faculty to dedicate 100,000 hours of their time to civic engagement. In recognition, Hastings College has been named to the President's Higher Education Community Service Honor Roll.

His dedication to students is further exemplified in the expansion of academic programs. This includes the addition of majors in biochemistry, biopsychology, wildlife biology, and a nursing dual degree with Creighton University and Mary Lanning Memorial Hospital.

President Dudley's passionate commitment to Hastings College and its students will be missed as he retires in July of 2011, but his support of the institution will continue after his retirement as President Dudley will work with the Hastings College Foundation to manage the college's fund-raising and alumni activities.

I congratulate Phil on his outstanding career in higher education and thank him for his contributions to Nebraska's educational reputation.

BULGARIA'S HISTORIC ANNIVERSARY

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. WILSON of South Carolina. Madam Speaker, twenty years ago today, I served as an election observer in Bulgaria on behalf of the International Republican Institute (IRI)

It was a life changing dream come true for me to experience firsthand the birth of liberty in a captive nation, which had been subjected for decades to Nazism and Communism. As a lifelong Cold Warrior I always promoted victory over Communism. A strong American military developed by President Ronald Reagan produced peace through strength and veterans today can see with pride more counties than ever as free market democracies.

On June 10, 1990, the people of Bulgaria participated in the first free elections since the 1930s. It was inspiring to visit polling places in the Plovdiv region and witness the young and old participating freely. The talented people of Bulgaria were unshackled. People did not want to be a slavish Soviet satellite. I have developed a lifelong affection for the people of Bulgaria.

Since then, Bulgaria has evolved from the antiquated ''frozen in time'' nation of the 1930s to being a vibrant free market democracy of today. It is now a valued member of NATO with troops having served in Iraq and Afghanistan. It is a dynamic member of the European Union. On the evening before the election in Plovdiv I met a musician who explained how he was inspired by Armed Forces Radio out of Greece with his favorite composer John Philip Sousa—as he stated, ''Stars and Stripes Forever.'' I responded, ''Bulgaria Forever.''

Two years ago I visited the training base at Novo Selo where young Bulgarian and American troops participate in joint training exercises. The American base was the first invited of foreign troops in Bulgaria's 1225 year history. I particularly appreciate Ambassador Elena Poptodrova for her promotion of the Bulgaria-America partnership. I am grateful for my first Bulgarian hosts Stefan Stoyanor, his wife Elizabeth and daughter Jana. Their warm Bulgarian welcome will never be forgotten.

In conclusion, God bless our troops, and we will never forget September 11th in the Global War on Terrorism. God Bless Bulgaria.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. SMITH of Washington. Madam Speaker, on Tuesday, June 8, 2010, I was unable to be present for recorded votes. Had I been present, I would have voted ''yes'' on rollcall vote No. 337 (on passage of H.R. 1061, as amended), and ''yes'' on rollcall vote No. 338 (on the motion to suspend the rules and agree to H. Res. 518, as amended).

RECOGNIZING THE RETIREMENT OF PENSACOLA CITY POLICE CHIEF JOHN W. MATHIS

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. MILLER of Florida. Madam Speaker, it is the highest honor to recognize Chief of Police John W. Mathis, a dedicated public servant and community leader. His service to Pensacola and his commitment to law enforcement are truly remarkable. For that reason, Madam Speaker, I am proud to honor Chief Mathis for his distinguished work over the last three decades as a law enforcement officer at the Pensacola Police Department.

Sworn in to protect and to serve, Chief Mathis first put on the badge in 1978. Since that day he has dedicated his entire adult life to selflessly putting the needs of others before his own while in the line of duty. As Chief of Police, Mr. John Mathis held his officers and himself to the highest standards of courtesy, integrity, and professionalism. These core values have guided his philosophy and world view, while reducing crime and improving the quality of life of everyone in the Pensacola community.

Madam Speaker, there is no doubt that during his time in law enforcement, Chief Mathis has never betrayed the badge, his integrity, his character, or the public trust. On behalf of the United States Congress, I am honored to recognize the visionary leadership and outstanding service of a real American hero. I congratulate and thank Chief John W. Mathis for his 32 years of service. My wife Vicki and I wish him a happy retirement.

IN HONOR AND REMEMBRANCE OF CHARLES CRADDOCK, AN AMERICAN HERO

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. ALEXANDER. Madam Speaker, I rise today to honor and remember Charles Craddock, a World War II Veteran and Prisoner of War. I offer most heartfelt thanks to Mr. Craddock for his selfless and heroic service to our nation and dedication to preserving our freedoms. It is with great appreciation that I share his story in hopes of inspiring today's generation of young men and women to live with the same sense of duty and purpose.

In April of 1943, Mr. Craddock was drafted and sent to Ft. Sill, Okla., then to Fort Polk, La., for basic training. From there, he was transferred into the Air Force Cadet program and took basic training and classification at Sheppard Field, Texas. After completing basic training, he was sent to pre-flight training at Butler University in Indianapolis, Ind. He was then sent to Fort Bragg, N.C., for combat training in the infantry, then to Fort Meade, Md., and Fort Dix, N.J., for further training.

After D-Day, Mr. Craddock traveled to Omaha Beach and joined units of the 3rd Army near Nancy, France. Mr. Craddock was assigned to the 137th D Infantry Regiment of the 35th Division. The first two weeks his unit spent in a defensive position, and then began a drive to the German border.

After two months, his group made it to the border at Sarrguimens. They crossed the Bliss River at night to take some high ground. Five of the soldiers, including Mr. Craddock, in the company were picked to go on patrol to see what lay ahead. They were captured behind the German lines during this patrol.

It was hard getting to the POW camp near Stuttgart, as the Air Force was all around. Most of the distance was covered by walking at night. After spending about a month in Stuttgart, the American forces were driving into this area from southern France, so the prisoners were led into box cars for a miserable trip to the next POW camp at Luckenwald. This train trip lasted about four days and nights for the train would not move during the day for fear of the American Air Force.

During this trip, they never let the POWs out of the box cars and gave them very little food or water. After spending about two months in Luckenwald, the prisoners were broken up in small groups and marched for two days to a camp known as Altengrabow. Once again, in two months, they were told they had to move, and walked through the city of Berlin, which was in ruins from the American and British Air Force bombings.

The group was sent to a small camp west of Berlin, where every night they watched the bombings of the city. They were given no news, but sensed the war was coming to an end.

One morning, near the end of April 1945, they were told to move again. They marched about a day and then spent the night in a barn. During the night, the German guards left. A Russian patrol came by the next day, and escorted them to the American lines on the Elbe River. That was on May 8, 1945, almost six months after being captured.

For his truly brave and fearless service, Mr. Craddock received the following decorations: Combat Infantry Badge, Bronze Star, European Theater with two Battle Stars, and Good Conduct.

Our country and many more around the world are the beneficiaries of his courage and vigilance. On May 16, 2010, America lost a hero with the passing of Mr. Craddock. Madam Speaker, I ask my colleagues to join me in paying tribute to Charles Craddock and extending thanks from a grateful nation.

THE ISRAEL BLOCKADE AND THE FLOTILLA

SPEECH OF

HON. DAN BOREN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2010

Mr. BOREN. Madam Speaker, in the last few weeks, the right of Israel to defend itself against threats to ensure its security has come under attack.

Last month, Israel Defense Forces intercepted a flotilla of vessels in the Mediterranean Sea manned by protestors whose aim was to provoke a response from Israel and prompt international disapproval of Israel's blockade of the Hamas-controlled Gaza Strip.

During this so-called ''flotilla incident,'' Israeli forces boarded the ships to search for weapons. They were attacked and subsequently used force to protect themselves. The Turkish Humanitarian Relief Foundation, which organized the flotilla, has known ties to Hamas and other terrorist groups.

Madam Speaker, in the aftermath of this event, Israel has been unfairly and wrongly condemned for its actions. As criticism of Israel over this incident escalates, and investigations into the matter proceed, we must not forget who really is under attack—Israel.

Israel is persistently targeted for violence by Hamas and other military groups in the region. Hamas, which is officially designated by the United States as a terrorist group, is fervently avowed to the destruction of Israel.

Israel inspects cargo bound for Gaza to stem the flow of arms and explosives to Hamas and other militant organizations there who want to attack it. There is a good reason for this policy: Since Israeli forces withdrew from Gaza, Hamas has fired more than 7,000 rockets and mortar shells into Israel.

The foremost responsibility of government is to protect the safety of its citizens. Many nations—including the United States—reserve the right to confront threats to their security, sometimes preemptively to eliminate imminent danger.

Blocking the movement of weapons by sea into Gaza prevents Hamas and other militant groups from having the means to use violence against Israel to achieve their desired aims, chief among them the annihilation of Israel.

Madam Speaker, it is imperative that members of this chamber give due attention to the circumstantial evidence and historical facts surrounding the flotilla incident.

The relationship between the United States and Israel rests firmly upon the foundation of more than half a century of history. It is grounded in mutual respect, supported by shared values, and guided by common interests.

For these reasons, we must remain resolutely committed to uphold Israel's right to self-defense.

I urge my fellow colleagues also to voice their support for Israel on this important issue.

RECOGNIZING DOUG STEINHARDT, 2010 RECIPIENT OF THE WARREN COUNTY ''GOOD SCOUT'' AWARD

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. GARRETT of New Jersey. Madam Speaker, today, the Central New Jersey Council of the Boy Scouts of America is celebrating 100 years of Scouting at their Annual ''Good Scout'' Award dinner. The Good Scout Award is given to individuals who exemplify the true spirit of volunteerism and support the mission and purpose of the Scouting movement.

The 2010 recipient of the Warren County ''Good Scout'' Award is Doug Steinhardt. A lifelong resident of Warren County, Doug has served the community in the tradition of the Boy Scouts of America and his work in the private and public sector is a testament to his dedication to the community. Some of the achievements and services Doug has provided to Warren County include being named to the governing body of the New Jersey State Bar, appointment to the Board of Directors of DARE, serving on the Legislative Committee of the New Jersey League of Municipalities and the Board of Directors of the Warren County Regional Chamber of Commerce. An Eagle Scout, Doug was also appointed to the Board of Directors of the Central New Jersey Council of the Boy Scouts of America in July 2008. Doug sets the highest standard of how to lead by example to residents of Warren County every day.

This year, Boy Scout Troop 141 from Belvidere, NJ is also being honored tonight with the ''Boy Scouts of America's Centennial Award'', which recognizes the troop for being the longest continuously operated Boy Scout Troop in the Central New Jersey Council at 98 years old. They were chartered in March of 1912 by the Belvidere Scout Home Association who still charters the Troop today. Troop 141 Scouts camp at least once per month, attend summer camp on an annual basis and participate in community activities such as the annual Christmas tree presentation to the town of Belvidere.

Today, I join the Boy Scouts of America in acknowledging Doug Steinhardt and Belvidere Troop 141. I am proud to represent such selfless and dedicated residents in the United States House of Representatives.

PERSONAL EXPLANATION

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. KENNEDY. Madam Speaker, I regret that I was unable to participate in a series of votes on the floor of the House of Representatives today.

Had I been present to vote on rollcall No. 339, Motion on Ordering the Previous Question on the Rule for H.R. 5072—FHA Reform Act of 2010 (H. Res. 1424), I would have voted ''aye'' on the question.

Had I been present to vote on rollcall No. 340, on the Rule providing for consideration of H.R. 5072—FHA Reform Act of 2010, I would have voted ''aye'' on the question.

Had I been present to vote on rollcall No. 341, on the motion to suspend the rules and agree to H. Res. 989, expressing the sense of the House of Representatives that the United States would adopt national policies and pursue international agreements to prevent ocean acidification, to study the impacts of ocean acidification, and to address the effects of ocean acidification on marine ecosystems and coastal economies, I would have voted ''aye'' on the question.

Had I been present to vote on rollcall No. 342, on the motion to suspend the rules and pass H. Res. 1178, directing the Clerk of the House of Representatives to compile the cost estimates prepared by the Congressional Budget Office which are included in reports filed by committees of the House on approved legislation and post such estimates on the official public Internet site of the Office of the Clerk, I would have voted ''aye'' on the question.

Had I been present to vote on rollcall No. 343, on the Republican Motion to Instruct Conferees on H.R. 4173—Wall Street Reform and Consumer Protection Act, I would have voted ''nay'' on the question.

Had I been present to vote on rollcall No. 344, on the motion to suspend the rules and agree to H. Res. 1330, Recognizing June 8, 2010, as World Ocean Day, I would have voted ''aye'' on the question.

Had I been present to vote on rollcall No. 345, on the motion to suspend the rules and agree to H.R. 5278, to designate the facility of the United States Postal Service located at 405 West Second Street in Dixon, Illinois, as the ''President Ronald W. Reagan Post Office Building,'' I would have voted ''aye'' on the question.

Had I been present to vote on rollcall No. 346, on the motion to suspend the rules and agree to H.R. 5133, to designate the facility of the United States Postal Service located at 331 1st Street in Carlstadt, New Jersey, as the ''Staff Sergeant Frank T. Carvill and Lance Corporal Michael A. Schwarz Post Office Building,'' I would have voted ''aye''' on the question.

FHA REFORM ACT OF 2010

SPEECH OF

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2010

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5072) to improve the financial safety and soundness of the FHA mortgage insurance program:

Mr. CONYERS. Madam Chair, I rise in strong support of H.R. 5072, the ''FHA Reform Act of 2010.'' This bill will make essential reforms that are needed to strengthen the financial footing of the Federal Housing Administration, which helps provide mortgage insurance to expand homeownership opportunities for thousands of Americans each year.

Passage of H.R. 5072 will enhance the FHA's authority to crack down on fraudulent lenders and those who violate their loan requirements. Clearly, the time has come for the federal government to provide much needed oversight of unscrupulous participants in the mortgage lending industry.

FHA has helped 37 million Americans buy homes since 1934, and is filling a vital role in the nation's economy by providing crucial mortgage insurance at a time when the private sector has pulled back from the mortgage market. Because of the "FHA Reform Act of 2010," FHA will be able to put itself on strong financial footing so that it can continue providing American families with the necessary financial backing to become home owners—the foundation of the American dream.

H.R. 5072 also requires the FHA to improve its internal reporting systems to better manage risk and to provide transparent data to the public and Congress. This includes better monitoring of early defaults and claims, tracking mortgage information by loan servicer, and requiring a Government Accountability Office study on FHA. These kinds of reforms will make the FHA a more efficient, cost-effective, and sustainable program in the long run, and hopefully allow more families to become homeowners.

The bill is supported by a range of organizations including the National Urban League, the National Association of Realtors, the National Council of La Raza, the Mortgage Bankers Association, the National Community Reinvestment Coalition, and the National Association of Home Builders.

I encourage my colleagues to support the bill.

CELEBRATING THE ACHIEVEMENTS OF THE WEST MONROE HIGH SCHOOL CHORAL PROGRAM

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. ALEXANDER. Madam Speaker, I rise today with tremendous pride and pleasure to pay tribute to the achievements of the West Monroe High School Choral program.

Through the years, they have held numerous concerts at Carnegie Hall, performed Mozart's Coronation Mass in Salzburg and Vienna, Austria, and sang the mass at St. Peter's Basilica in Rome, Italy. The many recognitions they have received are the result of long hours of practice, and dedication to excellence by the students, faculty and their families.

The West Monroe High School Choir has once again been honored as they have been asked to represent Louisiana at the 2010 American Celebration of Music in France and Great Britain. This tour will provide an once-in-a-lifetime opportunity for our young students to perform at various venues throughout Europe. The trip's highlights include performances at The Jesuit Church in Lucerne, Switzerland, Notre Dame Cathedral in Paris, France, The American Cemetery in Normandy Beach, France, and St. Paul's Cathedral in London, England.

The European concert tour will take place from May 30, 2010 to June 10, 2010, and will include 82 singers and 40 chaperones. Under the leadership of Greg A. Oden, Director, and Vickie Freeman, Assistant Director, the students have passionately worked through the entire year to raise the necessary funds to achieve this aspiration.

Madam Speaker, I ask my colleagues to join me in celebrating the wonderful achievements of the West Monroe High School Choir. The many honors they have received are the result of long hours of practice, and dedication to excellence by the students, faculty and their families. They have truly made me and their community proud.

COMMEMORATING THE ONE YEAR ANNIVERSARY OF THE MURDER OF DR. TILLER

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. QUIGLEY. Madam Speaker, I rise today to commemorate the one-year anniversary of the murder of Dr. Tiller.

Dr. Tiller was a respected physician who dedicated his life to providing women with safe access to abortion care, and who was shot and killed while attending his church in Kansas.

Sadly, the experience of Dr. Tiller is not unique—since 1993, eight clinic workers have been murdered in the U.S.

A physician in my district recently shared with me her own account of a scared 13-year-old who came into the clinic with her mother. The girl had been sexually assaulted by a 19-year-old and needed an abortion.

The physician was able to help that young girl, but she confided her fear that someday she might not be able to aid young women who had no chance to prevent pregnancy.

In the end, she said it's her patients who reconfirm her "heartfelt desire to continue to provide."

As President Obama said, no one is pro-abortion, but when faced with such a gut-wrenching decision, a woman deserves to have a physician like Dr. Tiller to provide her with safe, quality care.

COMMEMORATING THE ONE-YEAR ANNIVERSARY OF THE MURDER OF DR. GEORGE TILLER

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Ms. SLAUGHTER. Madam Speaker, I rise today to commemorate the one-year anniversary of the murder of Dr. George Tiller who was killed in his church in Wichita, Kansas on May 31, 2009. Dr. Tiller was a dedicated physician, and his murder was a deplorable act of violence that violated the sanctity of his place of worship. Dr. Tiller's shooting shattered the peace of his church, and added to an all too long list of past tragedies in places of worship. In the past ten years, there have been numerous instances of gun related violence in our places of worship which resulted in 32 deaths and 26 injuries. These sanctuaries are meant to be peaceful refuges for those who seek serenity in times of turmoil and safety in times of hostility. On this anniversary of Dr. Tiller's murder, we must remember and commit to our country's tradition of cooperation and understanding. We must reaffirm the American principle that tolerance must always be superior to intolerance, and that violence is never an appropriate response to a difference in beliefs.

FHA REFORM ACT OF 2010

SPEECH OF

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2010

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5072) to improve the financial safety and soundness of the FHA mortgage insurance program:

Ms. LORETTA SANCHEZ of California. Madam Chair, I rise in support of H.R. 5072, the FHA Reform Act of 2010. This legislation will, among many provisions, allow FHA to adjust its premium structure for new borrowers, while continuing to provide services to the communities it was intended to serve. Unfortunately, the economic crisis—the national housing prices decline, unemployment, and loan losses—led to the FHA's capital reserves falling below the two percent level required by law. I believe, the changes my colleagues and I will make to this program will help ensure its success in the long term, while reducing federal spending and saving taxpayers $2.5 billion dollars over the next five years.

The FHA Reform Act of 2010 will ensure FHA continues its role as a key stabilizing force in the market and support sustainable homeownership for first-time buyers and underserved markets. That said, I believe the FHA will help keep the recovery of our country on track by playing a central role in the housing finance system for some time before it scales back to its role as private capital returns.

H.R. 5072 will also grant FHA the authority to terminate lenders' approval to originate or underwrite loans backed by FHA insurance when FHA finds evidence of fraud or noncompliance. Unfortunately, in the second half of 2009, 2,357 default notices were issued to my constituents in the cities of Anaheim, Fullerton, Garden Grove, and Santa Ana. For this reason, it's imperative that FHA is reformed, so my constituents seeking to become homeowners are afforded the opportunity to do so from a safe and trustworthy source.

This bill is important to my constituents and many other Americans struggling to keep their homes.

I urge my colleagues to support this bill.

TRIBUTE TO MATT SCHILLER, 2010 RIVERSIDE UNIFIED SCHOOL DISTRICT TEACHER OF THE YEAR

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. CALVERT. Madam Speaker, I rise today to congratulate an individual from my Congressional District who was recently named the 2010 Riverside Unified School District Teacher of the Year. Matt Schiller, a teacher at Poly High School, was one of three teachers honored last month at an event in Riverside, California.

Matt graduated from U.C. San Diego in 1999 with a Bachelor of Science degree in biology and received his teaching credentials and a Master of Science degree in biochemistry from U.C. Riverside in 2002. While

pursuing his master's degree, Matt became a teaching assistant and realized his passion for teaching science.

After graduating from U.C. Riverside, Matt completed his student teaching at A.B. Miller High School in Fontana, and taught physical science and biology at Westlake High School. He also taught chemistry through U.C. Riverside's Faststart summer program in 2008 and 2009. Matt has been teaching chemistry and earth science at Poly High School in Riverside since 2004.

Being recognized for his outstanding efforts is not new to Matt. In fact, he was awarded the Walton B. Sinclair Award in 2001 for being an outstanding student teacher at U.C. Riverside, and he also received the ''Special Friend to Special Education'' award from Conejo Valley Unified School District in 2003 for his work with the Information Technology Academy at Westlake High School. Additionally, he received special recognition for his collaboration with students in publishing a scientific article on protein structure.

True to his character of never settling for the status quo, Matt resurrected the Advanced Placement chemistry class which had not been available at Poly High School for several years. In his first year of teaching, more than 60 percent of his class passed the AP test. A 60 percent passing rate is still better than the national average, but that did not stop Matt from pushing himself to help even more of his students succeed. In 2009, that number grew to 92.3 percent, which is an incredible testament to Matt's dedication.

Matt has also taken the initiative to improve his contact with parents. He regularly emails the parents of his students with upcoming test information and packets of work, as well as routine grade checks so parents can stay in tune with their child's progress.

Matt has shown diversity in his non-science interests as well. In 2006 he started a photography club at Poly High School to share his interest in photography. The club has grown from a handful of students to nearly 100 students. And at the end of each year, the students display their work in a gallery in downtown Riverside.

Additionally, Matt coaches the Mock Trial club, and has led his team to the state competition two of the last six years.

Matt has said that the most important part of teaching is giving back to the community and his students; his actions have spoken much louder than his words. Matt has truly shown that he is an exemplary educator.

Matt Schiller's tireless passion for science and education has contributed immensely to the betterment of his students and the entire community of Riverside, California. I am proud to call Matt a fellow community member, American and friend. I know that many students, parents, and faculty members are grateful for his service and join me in congratulating Matt on receiving this prestigious award.

PERSONAL EXPLANATION

HON. PAUL RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. RYAN of Wisconsin. Madam Speaker, last week, due to a death in the family, I was not present to vote on the House floor. Had I been present, I would have cast the following votes:

Rollcall 291: H. Con. Res. 278 On Motion to Suspend the Rules and Agree—''yes.''

Rollcall 292: H.R. 1017 On Motion to Suspend the Rules and Pass as Amended—''yes.''

Rollcall 293:. H.R. 5330 On Motion to Suspend the Rules and Pass, as Amended—''yes.''

Rollcall 294: H.R. 5145 On Motion to Suspend the Rules and Pass, as Amended—''yes.''

Rollcall 295: H. Res. 1258 On Motion to Suspend the Rules and Agree, as Amended—''yes.''

Rollcall 296: H. Res. 1382 On Motion to Suspend the Rules and Agree—''yes.''

Rollcall 297: H. Res. 584 On Motion to Suspend the Rules and Agree—''yes.''

Rollcall 298: H.R. 3885 On Motion to Suspend the Rules and Pass—''yes.''

Rollcall 299: H.R. 2711 On Motion to Suspend the Rules and Concur in the Senate Amendments—''yes.''

Rollcall 300: H. Res. 1189 On Motion to Suspend the Rules and Agree—''yes.''

Rollcall 301: H. Res. 1172 On Motion to Suspend the Rules and Agree—''yes.''

Rollcall 302: H. Res. 1347 On Motion to Suspend the Rules and Agree—''yes.''

Rollcall 303: H. Res. 1385 On Motion to Suspend the Rules and Agree—''yes.''

Rollcall 304: H. Res. 1316 On Motion to Suspend the Rules and Agree as Amended—''yes.''

Rollcall 305: H. Res. 1169 On Motion to Suspend the Rules and Agree, as Amended—''yes.''

Rollcall 306: H. Con. Res. 282 On Agreeing to the Resolution—''no.''

Rollcall 307: H. Res. 1404 On Agreeing to the Resolution—''no.''

Rollcall 308: H. Res. 1161 On Motion to Suspend the Rules and Agree—''yes.''

Rollcall 309: H. Res. 1372 On Motion to Suspend the Rules and Agree—''yes.''

Rollcall 310: H.R. 5136 On Agreeing to the Amendment—''yes.''

Rollcall 311: H.R. 5136 On Agreeing to the Amendment—''yes.''

Rollcall 312: H.R. 5136 On Agreeing to the Amendment—''no.''

Rollcall 313: H.R. 5136 On Agreeing to the Amendment—''yes.''

Rollcall 314: H.R. 5136 On Agreeing to the Amendment—''no.''

Rollcall 315: H.R. 5136 On Agreeing to the Amendment—''no.''

Rollcall 316: H.R. 5136 On Agreeing to the Amendment—''yes.''

Rollcall 317: H.R. 5136 On Agreeing to the Amendment—''no.''

Rollcall 318: H.R. 5136 On Agreeing to the Amendment—''yes.''

Rollcall 319: H.R. 5136 On Approving the Journal—''no.''

Rollcall 320: H. Res. 1391 On Motion to Suspend the Rules and Agree, as Amended—''yes.''

Rollcall 321: H. Res. 1403 On Ordering the Previous Question—''no.''

Rollcall 322: H. Res. 1403 On Agreeing to the Amendment—''no.''

Rollcall 323: H. Res. 1403 On Agreeing to the Resolution, as Amended—''no.''

Rollcall 324: H.R. 4213 On Concurring in the Senate amdt with amdt (except portion comprising section 532—''no.''

Rollcall 325: H.R. 4123 On concurring in Senate amdt with portion of amdt comprising section 523—''no.''

Rollcall 326: H.R. 5116 First Portion of the Divided Question—''yes.''

Rollcall 327: H.R. 5116 Second Portion of the Divided Question—''yes.''

Rollcall 328: H.R. 5116 Sixth Portion of the Divided Question—''yes.''

Rollcall 329: H.R. 5116 Seventh Portion of the Divided Question—''yes.''

Rollcall 330: H.R. 5116 Eighth Portion of the Divided Question—''yes.''

Rollcall 331: H.R. 5116 Ninth Portion of the Divided Question—''yes.''

Rollcall 332: H.R. 5116 On Passage—''no.''

Rollcall 333: H.R. 5136 On Agreeing to the En Bloc Amendments, as Modified—''yes.''

Rollcall 334: H.R. 5136 Table Appeal of the Ruling of the Chair—''no.''

Rollcall 335: H.R. 5136 On Motion to Recommit with Instructions—''yes.''

Rollcall 336: H.R. 5136 On Passage—''no.''

IN RECOGNITION OF THE 125TH ANNIVERSARY OF OLLIE GROVE BAPTIST CHURCH

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. ALEXANDER. Madam Speaker, I rise today to recognize the 125th anniversary of Ollie Grove Baptist Church in Choudrant, La.

The church, which will celebrate this landmark anniversary on June 20, 2010, began in 1885 when a small group of men and women joined forces. These pioneers initially held services in a brush arbor until the first box-like frame building was constructed a year later. While the church building has changed many times over the past century, the church has continued to provide spiritual guidance to the Jackson Parish community since its inception.

Today, Ollie Grove Baptist Church is led by a dynamic young Pastor named Derric Chatman where he performs missionary outreach and works to increase the number of young men and women believing in the Holy Father and living a life in accordance to his word.

Madam Speaker, I ask my colleagues to join me in honoring Ollie Grove Baptist Church for its dedication to providing a steadfast place of worship. Countless Sunday morning services, baptisms, weddings have been held there, and I am confident it will continue to be a source of Christian love and fellowship well over the next 100 years.

THE ISRAEL BLOCKADE AND THE FLOTILLA

SPEECH OF

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2010

Mr. SULLIVAN. Mr. Speaker, I rise today in support of one of the U.S.'s strongest and most steadfast allies, Israel. Since the tragic events of May 31, 2010, many have publicly questioned the right of Israel to defend herself

by blockading terrorist-controlled Gaza. I believe that this blockade is a necessary measure to stop the shipment of weapons and prevent the loss of innocent lives in the region. After careful examination of the facts, I am confident Israel's right to defend herself will be sustained in the eyes of the international community.

Israel plays an intricate role in United States foreign policy and provides the United States with a staunch ally in the region. As the only free market economy and viable democracy in the Middle East, it is essential that Israel and the United States continue this mutually beneficial partnership. We should continue to support this valuable ally in their fight against terrorism and extremism.

I encourage the international community to recognize this basic right of Israel and encourage my colleagues to join me in making clear that the United States cares deeply about our friend and ally and we will not allow their right to their own defense compromised because of the actions of Hamqs extremists who seek to do them harm.

BALANCING PUBLIC AND PRIVATE REMEDIES IN ENHANCED CARTEL PROSECUTION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. CONYERS. Madam Speaker, just before Congress left for the Memorial Day recess, we passed and sent to the President H.R. 5330, the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 Extension Act, and the President has just signed it into law. As Chairman of the House Judiciary Committee, and sponsor of this legislation, I would like to emphasize a few points about its importance.

The antitrust laws have been described as the Magna Carta of free enterprise. They are a safeguard that protects the vitality of the free market by preventing its becoming concentrated in too few hands. Just as importantly, they protect consumers from unscrupulous businesses that would conspire among themselves or illegally leverage market power to charge artificially high prices and deny meaningful choice.

The worst kinds of antitrust offenses, conspiracies by competitors to organize into cartels to cheat the marketplace of fair competition, are rightly condemned and subject to high criminal fines and prison sentences.

Treble damages in private rights of action are also an essential element of vigorous antitrust enforcement. They not only compensate consumers for harm they suffer from illegal anticompetitive activity, they also create a powerful incentive for other market participants to refrain from engaging in anticompetitive activity in the future.

The Department of Justice Antitrust Division's corporate leniency program has worked well in exposing illegal price-fixing cartels and bringing them to justice. Starting in 1993, the corporate leniency program created incentives for participants in illegal price-fixing cartels—provided that they weren't the ringleader—to come forward and expose the cartel, in exchange for amnesty from criminal prosecution. Although the program was achieving success, the Antitrust Division recognized that the treble damages, as well as the joint and several liability overall, to which amnesty applicants would be exposed in related private actions was limiting the effectiveness of the program. The party that was coming forward to expose the cartel could potentially even be left paying damages for the entire cartel.

The Antitrust Criminal Penalty Enhancement and Reform Act was passed in 2004 to address these concerns, by limiting the civil liability of amnesty applicants to their share of the legal responsibility, while leaving the other cartel participants subject to joint and several liability. In this way, Congress sought to balance the need for strong incentives to uncover harmful, sometimes multi-billion-dollar price-fixing cartels, without lessening the total amount of damages that would be available to the victims in private civil actions.

By some measures, the 2004 changes have been effective. Since those changes were made, the Antitrust Division has prosecuted some of the biggest cartels ever detected, collecting more than $5 billion in criminal fines.

However, concerns have arisen that some cartel members who have taken advantage of the leniency program may be abusing the civil liability relief by failing to cooperate fully and in a timely manner with the cartel's victims in their civil actions. In reauthorizing the Act for another 10 years, we are making some clarifying amendments to ensure that the benefits to the Department of Justice's criminal cartel enforcement program do not come at the expense of the victims.

One of the amendments revises the timely cooperation requirement. In the original Act, Section 213(c) signaled the importance of timely cooperation with civil claimants, but specifically required it only in a very narrow set of prosecutions. This legislation revises section 213(c) to make it clear that this timely cooperation requirement applies in all cases where amnesty is being sought under the leniency program.

The legislation also creates a new Section 213(d) that clarifies the necessary balance between public and private pursuit of price-fixing cartels. The Department of Justice will frequently ask the court to stay related civil claims in order to build its criminal case against the rest of the cartel. These stays can sometimes last a year, or even longer. As the Act makes clear, the judicious granting of these stays is, and remains, fully in keeping with the purposes of the Act. We have added a new section 213(d) to clarify that the obligation for timely cooperation with civil claimants does not take effect until after the stay is lifted, but that, once it is lifted, then the amnesty applicant must cooperate in a prompt and timely fashion.

Section 213(d) does not include a reference to the 213(b)(3) requirement to make available witnesses for deposition or testimony, in recognition of the fact that, even after the stay is lifted generally, there may be remaining sensitivities that, for a time, may make it problematic for certain witnesses to provide interviews, depositions, or trial testimony in connection with the private litigation without disrupting or harming the ongoing criminal investigation. The omission of this reference from section 213(d) is not intended to discount the importance of cooperation with civil claimants in this regard; rather, it reflects that these aspects of cooperation with civil claimants may be more disruptive to the ongoing criminal investigation. Subject to the additional temporary delays that the Antitrust Division may request on a case-by-case basis, the timely cooperation requirement also applies to witness availability. We expect that the Antitrust Division and the courts will be appropriately sensitive to the needs and rights of private claimants in this regard as well.

We are also commissioning a study by the Government Accountability Office to consider other possible ways to improve the efficacy of the Act, including, but not limited to, adding qui tam and whistleblower protection provisions.

We believe these improvements further promote vigorous antitrust enforcement for the protection of American consumers and free-market competition.

CONGRATULATING THE LADY SEA WARRIORS OF HAWAII PACIFIC UNIVERSITY ON WINNING THE NCAA DIVISION II SOFTBALL WORLD SERIES

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Ms. HIRONO. Madam Speaker, I rise today to congratulate the Lady Sea Warriors of Hawaii Pacific University for winning their first NCAA Division II Softball World Series title. On May 31, 2010, the Lady Sea Warriors scored four runs in the fifth inning and held off Valdosta State to win the title game by a score of 4–3.

I take great pride in extending my congratulations to players Chante Tesoro, Kozy Toriano, Erin Fujita, Melissa Awa, Malia Killam, Chelsea Luckey, Ashley Valine, Ciera Senas, Breanne Patton, Pomaikai Kalakau, Casey Sugihara, Maile Kim, Ashley Fernandez, Nicole Morrow, Sherise Musquiz, Laine Shikuma, Celina Garces, and Caira Pires, many of whom hail from Hawaii's second congressional district. The hard work, perseverance, and outstanding performance of these young women led to a 50–8 season, the most successful season in their program's history.

I would like to extend special congratulations to Ms. Musquiz, who pitched every inning of the NCAA Division II tournament and amassed a 4–0 record, earning her Most Outstanding Player honors.

I would also like to commend head coach Bryan Nakasone and assistant coaches Howard Okita, Roger Javillo, Jon Correles, and Richard Nomura for their superb leadership throughout the Lady Sea Warriors' historic season.

This has been a great year for Hawaii softball, and the Lady Sea Warriors' victory on a national stage has generated much pride back home. I congratulate the Lady Sea Warriors on their outstanding season and wish the program continued success.

A BILL TO AMEND TITLE 38, U.S.C., TO PROVIDE FOR CERTAIN REQUIREMENTS RELATING TO THE IMMUNIZATION OF VETERANS, AND FOR OTHER PURPOSES

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. STEARNS. Madam Speaker, today, I am introducing the ''Access to Appropriate Immunizations for Veterans Act of 2010'' which I believe would help advance the goal we all share of promoting lifelong health for the men and women who fought for our freedom.

While the Department of Veterans Affairs, VA, health care system is doing an admirable job of caring for those who bore the burden of combat, continual reform is needed to ensure the care veterans receive represents the most up-to-date practices and procedures.

According to statistics from the Centers for Disease Control, CDC, each year approximately 70,000 adult Americans die from vaccine-preventable diseases. Influenza alone is responsible for over one million ambulatory care visits, 200,000 hospitalizations and 30,000 deaths.

Many of our veterans who are in the ''high-risk'' category of contracting vaccine-preventable diseases—including those with HIV, Hepatitis C, and substance use disorder—are enrolled in the VA health care system and could particularly benefit from receiving vaccinations.

Commendably, the VA has protocols in place that recommend vaccines as protection against deadly viruses. However, VA only has established performance measures for two vaccines making it unclear if protocols are being routinely enforced for all CDC recommended vaccines.

The tremendous value performance measures have regarding the increased utilization and effectiveness of vaccination distribution is evidenced by VA's own application of performance measures for the influenza and pneumococcal vaccinations. When these performance measures were initially applied, VA saw vaccination rates rise respectively from 27 percent and 26 percent to 77 percent and 80 percent. It also resulted in a 50 percent decline in pneumonia hospitalization rates.

The legislation I am introducing today would expand VA performance measures to cover all vaccinations recommended by the VA and CDC and ensure that veterans receive appropriate immunizations at the time suggested by the CDC. It would also require VA to report to Congress on their progress in supporting vaccinations in the veteran population.

Madam Speaker, I urge my colleagues to join with me in cosponsoring the Access to Appropriate Immunizations for Veterans Act of 2010. This legislation would ensure that our veterans are receiving timely and suitable access to vaccines and prevent those under the care of the VA from being unnecessarily exposed to vaccine preventable diseases.

NORTH DAVIDSON WINS SOFTBALL TITLE WITH PERFECT SEASON

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. COBLE. Madam Speaker, on behalf of the citizens of the Sixth District of North Carolina, we wish to extend our congratulations to the North Davidson softball team for its perfect season culminated by winning the North Carolina High School Athletic Association's 4–A state softball championship. North Davidson finished as the runner-up 3 out of the last 4 years, but this year they were able to win it all. The championship game concluded the Black Knight's 32-game perfect season.

As a result of the tremendous athleticism of the players, the outstanding direction of coach Mike Lambros, and the unyielding support of the community, the Black Knights had all the components necessary to clinch the State title. Furthermore, this was a particularly special season for coach Lambros who celebrated his first championship after having coached the Black Knights for 30 years.

The Black Knight's star pitcher Hannah Alexander won most valuable player honors for her tremendous contribution to her team's success. She only allowed two runs during the entire playoffs. This championship game required tremendous amounts of teamwork and determination.

The championship team members included: Amelia Griffin, Allie Nicholson, Paige Wall, Kathy Choplin, Tess Swing, Nichole Tuttle, Jessica Plemmons, Shaundee Woosley, Lauren Grooms, Jordan Clodfelter, Lindy Yount, Hannah Alexander, Morgan Koontz, Tori Hedrick, Courtney Walker, Maggie McDowell, Mackenzie Hauser, Robyn Stanek, Missy Hunt, Eliza Davis, Kayla Harrell, Lauren Beaver, Katie Vick, Samantha Honeycutt, Lauren McNerney. Assisting head coach Mike Lambros on his championship run were Lamar Powell, Billy Gerald, Thomas Vick, Ronnie Plemmons, Jason Martin, Keith Stanek, Ben Lookabill, Blythe Craver, Kendra Israel, Jerry Smith, Jason Israel, Jeff Pace, Charlie Nicholson, and Tim Martin.

Again, on behalf of the Sixth District of North Carolina, we would like to congratulate the North Davidson softball team, the faculty, staff, students and fans for an outstanding season.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011

SPEECH OF

HON. PAUL RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 2010

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5136) to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, to prescribe military personnel strengths for such fiscal year, and for other purposes:

Mr. RYAN of Wisconsin. Madam Chair, Last week, the House of Representatives considered an amendment offered by Congressman PATRICK MURPHY to H.R. 5136, the National Defense Authorization Act for Fiscal Year 2011, to repeal the Armed Forces personnel policy of ''don't ask, don't tell.'' Due to a death in the family, I was not present for the vote on the House floor. Had I been present, I would have voted against this amendment.

While I believe no American should be denied the ability to serve their country because of their sexual orientation, it is important to balance this commitment to serve with the practical implications of this dramatic policy change.

Defense Secretary Robert Gates and the Joint Chiefs of Staff repeatedly asked Congress to allow the Department of Defense the time to complete its comprehensive review of ''don't ask, don't tell'' before taking legislative action to change this policy. These requests were denied by the Majority, whose actions imply that Members of Congress are in a better position to determine personnel policies than military leaders themselves.

We have a responsibility to consider the views of those men and women in uniform, and a duty to allow the leaders of our Armed Forces to finish their review before taking premature legislative action. By refusing to take into consideration the ongoing review by the Department of Defense, the Majority risks undermining the relationship between our elected leaders and the men and women serving our Nation. I have serious concerns with the potential for this preemptive decision to negatively impact our military's ability to recruit, retain, and ready servicemembers now and in the future.

TRIBUTE TO LATE TOM LARDNER

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, it is with great sorrow that I recognize the life and passing of Tom Lardner. I have known this accomplished person for a long time. He was a visionary who was not afraid to take risks. We have lost a great businessman, an exceptional husband and terrific father.

Tom Lardner, born in Port Huron, Michigan earned his bachelor's degree in business from Michigan State University. Mr. Lardner earned a master's degree in education from Michigan State. Before beginning his real estate career he was a coach at St. Gabriel High School football team in East Lansing, Michigan where he also served as a history teacher.

While running his real estate investment firm, Lehndorff USA, in Chicago he spotted the potential of the area just north of the central business district in Dallas, Texas. Eager to map out his plans he moved to Dallas. He then saw his dream transforming into reality after years of hard work with the construction of a luxury apartment building, which would be the earliest of many.

Lardner purchased a large amount of the land surrounded by McKinney Avenue, Pearl Street, Woodall Rodgers Freeway and North Central Expressway for development. He also worked alongside city officials to establish a tax increment financing district that would pay for street improvements as well as other infrastructure improvements.

Although Lardner was known for his keen eye in real estate with the development of the Uptown area of Dallas, he was also concerned about the environment. Lardner's support for Texas Business for Clean Air, allowed him to oppose the fast-tracking of the coal-fired plants. Concerned that the electric generating plants would hurt the North Texas air quality the group strongly opposed the environmental abuse.

Madam Speaker, Tom Lardner's loss will be deeply felt among many, but his work will not be forgotten. His caring nature and the creative vision he possessed will live forever.

RECOGNIZING AGNES DILL FOR HER WORK ON BEHALF OF NATIVE AMERICANS

HON. HARRY TEAGUE

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. TEAGUE. Madam Speaker, it is with great honor that I congratulate Agnes Dill for being awarded an honorary doctorate degree from the University of New Mexico for her many years of outstanding service and dedication to Indian Country.

Agnes earned her bachelor of Arts degree in education in 1937 and then taught at BIA schools in Oklahoma for over a decade. Along with becoming an educator, Agnes devoted much of her time in the 1970's to serving as an advocate for Native American people, particularly Native American women. Agnes served as one of the founding members of the North American Indian Women's Association and served as its President in 1973.

All of her efforts led to Agnes being appointed by President Ford to the National Advisory Council on Women's Education in 1975.

Not being one to rest on her laurels, Agnes took all of her knowledge and traveled extensively through the country to set up job and talent banks that would encourage Native American women to seek careers that were thought of as ''non-traditional'' during the time. These efforts encouraged Native American women to seek jobs in the fields of medicine, law and business. All of her work was driven by one motivating factor that she described in her own words in a recent interview: ''Anything a man was doing, I tried to get a woman to do.''

Agnes continued to drive policy on these issues when she served on the board of directors of Indian Pueblo Marketing, Inc., which promotes and funds the Indian Pueblo Cultural Center. Agnes also served on the National Advisory Committee for the White House Conference on Aging and has extended her focus to Native American youth serving as President of the New Mexico chapter of NAIWA and Director of New Mexico Indian Council on Aging.

With such an amazing history as an advocate, I am very proud of her numerous accomplishments and I'm proud to represent and honor her today in the Congress. From her beginnings as an educator, to her national advocacy roles, she has demonstrated how commitment to public service for Native American communities can inspire us all to improve our own lives and get involved with these important issues.

Even at the youthful age of 96 years old, her unwavering commitment to advocating for improvements to Native American education and healthcare is a great example for all of us to look to and continue her work into the future.

REGARDING THE 90TH ANNIVERSARY CELEBRATION OF THE NATIONAL AMERICAN LEGION AUXILIARY

HON. DAN BOREN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. BOREN. Madam Speaker, I rise today to recognize the service of the Vinita Post 40 unit of the American Legion Auxiliary in Oklahoma.

This year marks the 90th Anniversary Celebration of the National American Legion Auxiliary. Although not the first such organization of its kind, the National American Legion Auxiliary is the largest patriotic women's service organization in the world. Its nearly one million members are dedicated to promoting allegiance to God and Country, supporting veterans and youth through various community programs since 1919–1920.

The Vinita Post 40 unit was chartered on March 4, 1929 and has proudly served its Oklahoma community, sponsoring events that include the widely renowned Will Rogers Memorial Rodeo since its inception in 1935. I would like to congratulate the Vinita Post 40 unit and the American Legion Auxiliary for their outstanding patriotism and commitment to community, and today, I celebrate their achievement.

HONORING FLOYD CARSON FRISBEE FOR HIS SERVICE IN THE KOREAN WAR

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. SHULER. Madam Speaker, I rise today to honor Mr. Floyd Carson Frisbee of Iron Duff, North Carolina for his valiant service in the United States Army. From March 1951 to March 1953, Mr. Frisbee fought bravely on the Korean peninsula in order to protect the sovereignty of South Korea, and the freedom of its people.

Mr. Frisbee received numerous medals for his service in Korea, including the National Defense Service Medal, Korean Service Medal, CIB, Combat, Medal, Occupation Medal, and the 50th Anniversary Medal. These medals represent the courage and commitment that Mr. Frisbee exhibited during his service in the 1st Cavalry Division.

After his service in the military, Floyd Frisbee continued to display his strong personal character as well as a commitment to provide for his family through 19 years of hard work at the Dayton Rubber plant. Since his retirement Mr. Frisbee has maintained a strong attachment to the Fruitland Baptist Bible Institute and has preached at various churches in the community.

Madam Speaker, Floyd Carson Frisbee provided an exemplary service for the people of our great country through his service in the Korean War. His dedication and commitment to the United States is truly a source of pride to Western North Carolina. I urge my colleagues to join me today in honoring Floyd Carson Frisbee for his valiant service in the military and the sacrifices he has made for our Nation.

CONGRATULATING THE CHICAGO BLACKHAWKS ON WINNING THE STANLEY CUP

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Ms. SCHAKOWSKY. Madam Speaker, I rise today to congratulate the Chicago Blackhawks on winning the 2010 Stanley Cup. After an incredible season, no team is more deserving.

The Blackhawks lightening-fast pace and tremendous skill level delivered the team the second-best league record in the regular season. Coach Joel Quenneville guided his team masterfully through the playoffs, where the Blackhawks defeated the Nashville Predators, Vancouver Canucks, and San Jose Sharks to win the Clarence S. Campbell Bowl as Western Conference champions.

Led by captain and Conn Smythe winner Jonathan Toews, who equaled the Blackhawks single-season playoff scoring record with 29 points, the team met the Philadelphia Flyers in the Stanley Cup finals. Each player on the team made significant contributions as they battled the Flyers until the overtime period of game six, where Patrick Kane notched the series-winning goal, earning Chicago its first Stanley Cup since 1961.

As a lifelong fan of the Chicago Blackhawks, I take great pride in congratulating the team on an incredibly thrilling season. I thank them for bringing the Stanley Cup back to the Madhouse on Madison.

THE ISRAEL BLOCKADE AND THE FLOTILLA

SPEECH OF

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2010

Mr. LEWIS of California. Mr. Speaker, Israel has the right and the duty to defend itself and its citizens. Part of its defense includes seeking to inspect ships run by Islamist extremist groups. These extremists were seeking to enter Hamas-controlled Gaza despite repeated requests from the Israeli government not to do so.

I am very concerned by these recent events that have occurred in the Mediterranean Sea. As we now know, on Monday, May 31, the Israel Defense Forces intercepted six ships, known as the ''Free Gaza'' flotilla. We have learned that this flotilla attempted to break Israel's blockade of the Hamas-controlled Gaza Strip. Although many have said that its primary aim was to deliver humanitarian aid to Gaza, it seems apparent that its main objective was to provoke Israel and disrupt the blockade. More than a million tons of humanitarian aid and medical supplies have entered

Gaza through the Port of Ashod and other already established routes. The blockade was set in place to prevent weapons from being smuggled into Gaza. Although I am deeply saddened by the loss of human life that occurred during the interception of the flotilla, I do feel that the Israeli soldiers had every right to defend their lives against a hostile group who attacked them with clubs and knives.

The United States must stand by Israel and its right to self defense.

JOB CREATION

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. TOWNS. Madam Speaker, I rise today to discuss a very important matter—job creation.

As I have previously mentioned, we have seen a lot of progress this year. Our economy has created over 500,000 new jobs in 2010 alone. The newest jobs numbers indicate that over 419,000 jobs were created last month. As a country we are getting stronger and stronger.

While these are great statistics, we still have a long way to go. Only 41,000 of these jobs were created in the private sector. Many of the remaining jobs are temporary census positions. While temporary work is better than no work, our economy and my constituents need and demand permanent job creation.

Some of this can certainly be government jobs, but our economy thrives on job creation and development from the private sector. From the mom and pop shop in Brooklyn to the company that hires by the thousands—each contribute to the economy, to communities, and to families.

Congress needs to continue to work together to enact policies that create and encourage job creation. I urge my colleagues both in the House and the Senate to come together on this important goal—jobs.

IN CELEBRATION OF NEW BETHEL MISSIONARY BAPTIST CHURCH'S 85TH ANNIVERSARY

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. PETERS. Madam Speaker, I rise today to recognize New Bethel Missionary Baptist Church on the occasion of its 85th Anniversary. As a Member of Congress it is both my honor and privilege to recognize and congratulate Reverend Keyon Payton and the congregation for reaching this most impressive milestone.

New Bethel Missionary Baptist Church was founded on June 21, 1925 as an institution rooted in spiritual fellowship and service to the Pontiac community. From its inception, with 27 founding families and under the leadership of Reverend J.W. Conyers, New Bethel found its first home at 175 Branch Street, and became a beacon on a hill shinning down upon the Pontiac community as a symbol of faith and fellowship. The passion of New Bethel's leaders has forever been a core strength of the Church. According to New Bethel history, Reverend William Bell sold his own car and took the bus to deliver his sermons every week, so that the Church could repair and expand their aging facilities. This selfless act is one example of the deep devotion of New Bethel's congregation and leadership to the Church's mission. New Bethel's community-minded focus, first fully realized under the leadership of Reverend Amos Johnson, drove the Church to become a ''Family Center,'' a pillar of charity and service in the Pontiac community.

Under New Bethel's current leader, Pastor Keyon Payton, the Church has continued to prosper and expand upon its goals to join the Pontiac community in spiritual fellowship and community service. Through execution of Pastor Payton's bold vision, New Bethel reached out to several of its neighboring congregations in collaboration to create Camp Hosanna, a day camp for youth that provides them with a safe and secure environment to explore all realms of education. Pastor Payton has also been the driving force behind many new community-based programs which New Bethel hopes to implement including an emergency shelter for women and children in need, a community development corporation to promote an economically vibrant and financially literate Pontiac community, and a youth development center to guide and nurture Pontiac's future leaders.

Madam Speaker, I ask my colleagues to join me today in celebrating New Bethel Missionary Baptist Church's 85th Anniversary of spiritual guidance and service to the Pontiac community. New Bethel's congregation and leadership have left a profound impact on the Pontiac community and have enriched the lives of many. I wish Pastor Payton, the New Bethel leadership and the entire congregation, many more years of vibrant spiritual fellowship and growth.

RETIREMENT FOR N. GARY ROOKE, FORMER CEO, GREATER SPRINGFIELD CREDIT UNION, SPRINGFIELD, MASSACHUSETTS

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. NEAL of Massachusetts. Madam Speaker, I rise today to celebrate the retirement of Gary Rooke from the Greater Springfield Credit Union. After 19 years of committed, dutiful and effective employment, I would like to acknowledge the significant contribution made to the lives of the credit union members and employees and would like to place this tribute into the official record.

Mr. N. Gary Rooke joined the Greater Springfield Credit Union on November 13, 1990, as manager/CEO and has significantly increased the health of the credit union since his arrival. Since his start in 1990, many services have been added to the Credit Union such as debit cards, Roth IRAs, prime checking, online banking, bill pay, youth accounts, overdraft protection, vacation/holiday/computer/energy loans, audio response, member wire transfers, credit cards and development of the East Longmeadow branch.

Mr. Rooke is also extremely involved in his community, serving 20 years at the Mountain View Baptist Church, in which he has participated in many different ways. Gary served as the commander of Awana Youth Program as well as a Sunday school teacher, treasurer, church building committee, trustee and deacon. He has also been an active volunteer at the Westfield Boys and Girls club. Mr. Rooke also serves on many different committees which benefit the community.

On Thursday, July 17, Gary's colleagues, friends and family will honor his legacy and thank him for his successful work on behalf of others and join him in celebrating his retirement from the Greater Springfield Credit Union.

Gary Rooke has been a tremendous CEO to the Greater Springfield Credit Union in Springfield. I am proud to congratulate him on his retirement.

PERSONAL EXPLANATION

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. CALVERT. Madam Speaker, June 8, 2010 was primary Election Day in my state of California, which necessitated my remaining in my congressional district on Tuesday, June 8, 2010, through Wednesday, June 9, 2010. Consequently, I was unable to return in time for rollcall votes 337 through 346.

I ask the RECORD to reflect that had I been present I would have voted as follows:

1. On rollcall No. 337, I would have voted ''aye'' (June 8) (H.R. 1061, Hoh Indian Tribe Safe Homelands Act).

2. On rollcall No. 338, I would have voted ''aye'' (June 8) (H. Res. 518, Honoring the life of Jacques-Yves Cousteau, explorer, researcher, and pioneer in the field of marine conservation).

3. On rollcall No. 339, I would have voted ''no'' (June 9) (Motion on Ordering the Previous Question on the Rule for H.R. 5072—FHA Reform Act of 2010 (H. Res. 1424).

4. On rollcall No. 340, I would have voted ''no'' (June 9) (On Agreeing to the Resolution Providing for the consideration of the bill H.R. 5072, the FHA Reform Act).

5. On rollcall No. 341, I would have voted ''no'' (June 9) (H. Res. 989—Expressing the sense of the House of Representatives that the United States should adopt national policies and pursue international agreements to prevent ocean acidification, to study the impacts of ocean acidification, and to address the effects of ocean acidification on marine ecosystems and coastal economies).

6. On rollcall No. 342, I would have voted ''aye'' (June 9) (H. Res. 1178—Directing the Clerk of the House of Representatives to compile the cost estimates prepared by the Congressional Budget Office which are included in reports filed by committees of the House on approved legislation and post such estimates on the official public Internet site of the Office of the Clerk).

7. On rollcall No. 343, I would have voted ''aye'' (June 9) (On the Motion to Instruct Conferees on H.R. 4173—Wall Street Reform and Consumer Protection Act of 2009 which instructs the House Conferees to end the culture of bailouts embedded in the bill.

8. On rollcall No. 344, I would have voted ''aye'' (June 9) (H. Res. 1330—Recognizing June 8, 2010, as World Ocean Day).

9. On rollcall No. 345, I would have voted "aye" (June 9) (H.R. 5278—To designate the "President Ronald W. Reagan Post Office Building" in Dixon, Illinois).

10. On rollcall No. 346, I would have voted "aye" (June 9) (H.R. 5133—To designate the "Staff Sergeant Frank T. Carvill and Lance Corporal Michael A. Schwarz Post Office Building" in Carlstadt, New Jersey).

FHA REFORM ACT OF 2010

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2010

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5072) to improve the financial safety and soundness of the FHA mortgage insurance program:

Mr. VAN HOLLEN. Madam Chair, I want to thank Chairman FRANK and Chairwoman WATERS for their efforts in bringing this important and necessary piece of legislation to the floor today.

As a result of the economic crisis, the Federal Housing Administration had to step in to fill the void that emerged when large numbers of homeowners experienced difficulty finding private companies willing to insure their mortgages. While increasing the number of loans it insured helped the FHA put more borrowers into new homes, it also severely depleted its capital reserves—causing them to fall below congressionally mandated levels.

One of the FHA's responsibilities is to provide mortgage insurance for low-income homeowners who otherwise would have difficulty accessing insurance. By providing insurance on loans made by approved lenders, the FHA has been able to guarantee the availability of inexpensive mortgages and help approximately 37 million borrowers. To insure that FHA has the resources necessary to continue performing this important function, Congress requires the FHA to maintain capital reserves of at least 2 percent. Under the economic strain of the past couple of years, these reserves have fallen well below that level. Even though the Department of Housing and Urban Development has taken significant administrative and regulatory steps to address the shortfall, as an added measure, the FHA has requested that Congress grant it the legislative authority to adjust its premium structure.

The bill we are voting on today provides the FHA with new authority to raise the annual premiums it receives from new borrowers with mortgages at or below 95 percent of the home's value. If this bill passes, FHA will be permitted to raise the premiums it receives on mortgage insurance to up to 1.55 percent of the loan balance. This move should enable the FHA to raise the funds it needs to restore its capital reserves to financial healthy levels—so that it can continue providing mortgage insurance to new home owners for many years to come.

Congress is committed to doing whatever it takes to get this economy going again, to get Americans back to work, to enable them to buy cars and homes and to start businesses. Our legislative efforts have taken many forms from small business tax cuts, to financial services industry reform to the measure we are considering here today.

This is important legislation that will help the economy by helping many borrowers seeking mortgage insurance. I urge my colleagues to join me in supporting this bill.

STATEMENT ON BUSINESS LEADERS LETTER TO CONGRESS

HON. AARON SCHOCK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. SCHOCK. Madam Speaker, I was recently contacted by over 50 U.S. Business leaders who all support an appropriate Foreign Affairs budget which will help the U.S. stay competitive globally and ultimately produce more jobs domestically. I am pleased to see that the business community has joined a number of non-profits who have come out in support of providing assistance abroad to help us reach our goals at home. Please see their letter below:

BUSINESS LEADERS LETTER TO CONGRESS

JUNE 8, 2010.

DEAR MEMBER OF CONGRESS: We are writing to urge your support for the International Affairs Budget and its important investments that help spur U.S. economic growth. The importance of the International Affairs Budget's development and diplomacy programs to U.S. national security and our moral leadership is well recognized. However, the vital role these programs play in creating American jobs and trade is not fully appreciated.

Now more than ever, America's economy is linked with global trade and economic growth. Over the past 40 years, trade has tripled as a share of our national economy. Today, 1 out of 5 American jobs are tied to international trade. America's fastest growing markets—representing roughly half of U.S. exports—are developing countries. Export promotion programs funded by the International Affairs Budget are essential to expanding U.S. trade in these emerging markets and are indispensable to reaching President Obama's goal of doubling exports within five years.

U.S. businesses and entrepreneurs benefit significantly from programs in the International Affairs Budget that provide technical assistance, identify business opportunities, and build stronger legal and economic policy regimes that help developing countries become more reliable trading partners. The International Affairs Budget is critical to promoting U.S. exports, protecting intellectual property rights, and advocating for American businesses abroad.

The International Affairs Budget is a fundamental tool for advancing U.S. economic and strategic interests around the world. That is why we urge you to support the President's FY 2011 request for the International Affairs Budget. Representing less than 1.5% of the total federal budget, it is a smart economic investment in a stronger and more prosperous future for American workers and businesses.

Sincerely,

Aerospace Industries Association (AIA); Amway Corporation; Amgen; ARD; Biotechnology Industry Organization; Boeing; Business Council for International Understanding; Business Roundtable; Campbell Soup Company; Cargill; Caterpillar; Chevron; Cisco Systems; Inc.; Citigroup; Coalition for Employment through Exports; Computer and Communications Industry Association; Corporate Council on Africa; Creative Associates International; DAI; DHL; DuPont; Eli Lilly and Company; FMC Corporation; General Electric Corporation; GlaxoSmithKline; Google; John Deere; Johnson & Johnson; Kraft Foods; Land O'Lakes; Lockheed Martin Corporation; Mars; Microsoft; Motorola; National Foreign Trade Council; National Retail Federation; Northrop Grumman Corporation; Pioneer Hi-Bred International; Pfizer; Procter & Gamble; PhRMA; Raytheon; RTI; Seaboard Corporation; Thales USA; Inc.; United Technologies Corporation; UPS; U.S. Chamber of Commerce; U.S.-Russia Business Council; Wal-Mart; Xerox.

WHITE HOUSE HEALTH CARE PROPAGANDA CAMPAIGN

HON. TOM PRICE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. PRICE of Georgia. Madam Speaker, I rise to submit to the CONGRESSIONAL RECORD the following opinion piece by former Speaker of the House Newt Gingrich and Nancy Desmond, CEO at the Center for Health Transformation. Their piece focuses on the Obama administration's latest attempt to sell the recently enacted health care reform law to senior citizens. The administration has embarked on its public relations tour after numerous reports detailing that the new health care law will reduce quality, raise costs, and limit choices for America's seniors.

In the run-up to passing their government takeover of health care, Congressional Democrats and the Obama administration blatantly ignored the voices of the American people and rammed through a hyper-partisan piece of legislation that will have a disastrous effect on our nation's health care system. That they are now choosing to mount a propaganda campaign at taxpayer expense to convince Americans that they should embrace these new, unwelcome disruptions and government intrusions, the Democrats show how out-of-touch they continue to be with the majority of Americans.

I encourage my colleagues to read the following fact check on the administration's claims. Our senior citizens deserve to know the truth about the effects of ObamaCare.

[From the Investors Business Daily, June 8, 2010]

SENIORS MUST SCRUTINIZE MEDICARE MAILER

(By Newt Gingrich and Nancy Desmond)

As weeks turned to months during the Great Debate over what to do about health care this past year, President Obama made one solemn pledge to the nation and its seniors:

He said health care would not add one dime to the deficit. And if all of us liked our doctor, we would get to keep our doctor.

Fast-forward almost 90 days after the passage of ObamaCare and the attitude of most Americans to that pledge is: "Prove it."

In the past two weeks, the Obama administration has been trying to stem the tide of skepticism toward its health care law with a new mailer sent directly to the nation's seniors, titled "Medicare and the New Health Care Law—What it Means for You."

Problem is, for anyone who has paid attention during the past 12 months, the message about the biggest government expansion into health care in our lifetime just doesn't add up.

Let's contrast fact from fiction and the language used in the new flier:

''The Affordable Care Act passed by Congress and signed by President Obama this year will provide you and your family greater savings and increased quality of care.''

Fact: Most Americans will pay higher insurance premiums, according to the Congressional Budget Office. And more than 10 million seniors will see reduced benefits under their private Medicare Advantage plans. Overall quality will decline as fewer doctors take on Medicare patients.

''Your guaranteed Medicare benefits won't change—whether you get them through Original Medicare or a Medicare Advantage plan.''

Fact: Medicare Advantage, a private option in Medicare, will be cut by $136 billion. On April 22, the chief actuary for the Centers for Medicare and Medicaid Services reported that half of all seniors enrolled in Medicare Advantage would lose their coverage under the new health care bill by 2017. The guarantee that benefits won't change isn't a guarantee at all for millions of seniors who prefer using private insurance companies that provide their Medicare coverage.

''Your choice of doctors will be preserved.''

Fact: Cuts to Medicare will total nearly $500 billion, hitting hospitals, home health providers, physicians and more. Doctors throughout the country have seen their Medicare payments reduced in recent years and expect more cuts in the future because of ObamaCare.

A February survey by three national neurosurgeon groups, for example, showed that 50% of neurosurgeons were reducing the number of Medicare patients they were accepting into their practice. The Mayo Clinic in Arizona has also started turning away Medicare patients. Other physicians are following suit. How is this preserving a senior's choice of doctors?

''If you're hospitalized, the new law also helps you return home successfully and avoid going back—by helping to coordinate your care and connecting you to services and supports in your community.''

Fact: This is traditionally known as ''home health care''—a program that helps treat patients at home for a short period. But in the ObamaCare plan, home health care will be cut by $40 billion. Another contradiction in terms.

Last fall, the federal government launched an investigation into Humana for sending letters to seniors who were customers of the Medicare Advantage program during the health care debate.

It urged them to contact their congressman or senator because of the then-proposed cuts to the program. Under threat of shutting down the insurance company's contract with Medicare, Humana was told to stop sending such information out to its customers.

Yet today, we have the federal government offering its spin and fabrication on ObamaCare with no one holding it accountable. It is trying to convince seniors that despite almost half a trillion dollars in cuts, the new law ''preserves and strengthens Medicare.'' Precious tax dollars are being spent on a public relations campaign to try to convince seniors that ObamaCare will keep ''Medicare strong and solvent.''

Nothing could be further from the truth.

Record numbers of baby boomers will start retiring this year and draw Social Security benefits and sign up for Medicare. They are smart enough to understand that ObamaCare is not a good deal for their golden years. A four-page brochure will not change their minds either. It will take more for this administration to ''prove it'' than a glossy, four-page pamphlet.

Gingrich, former speaker of the House, is founder of the Center for Health Transformation. Desmond is the center's CEO.

WORLD CANNOT TURN A BLIND EYE TO IRAN'S REPRESSION OF ITS OWN PEOPLE

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. WOLF. Madam Speaker, a recent Radio Free Europe/Radio Liberty (RFE/RL) article featured comments from Iranian-American journalist Roxana Saberi who spent 100 days in Iran's notorious Evin prison between February and May 2009 on espionage charges.

Saberi indicated that the day of her release was bittersweet, saying, ''As they drove me away, I remember turning my head to the side and seeing the prison disappear behind me. And finally, I cried . . . I realized, however, that my tears were not just tears of joy, but they were also tears of sorrow for the many innocent prisoners I was leaving behind. Why was I freed while all these others are still there?''

Among those she was leaving behind were the two female Baha'i leaders who have been in jail for more than two years on baseless charges—Fariba Kamalabadi and Mahvash Sabet.

There are news reports that these two, in addition to the five male Baha'i leaders, are scheduled to have their fourth court session on Saturday, June 12—the same day as the anniversary of Iran's deeply flawed presidential election.

The RFE/RL article continues, ''Saberi believes the media attention and international support she received during her ordeal led to her release.''

Saberi's comments are consistent with the reflections of dissidents dating back to the Cold War. Time and again those who are unjustly languishing in prison have reported that their lives improved in captivity when President Reagan and others raised their cases by name. And in some instances, their freedom followed soon thereafter.

The U.S. and the rest of the free world must continue to speak with one voice about the deplorable human rights situation in Iran. We must continue to advocate for due process and a fair trial for these seven Baha'i leaders and for basic rights for the community as a whole which according to the recently released report of the U.S. Commission on International Religious Freedom, ''has long been subject to particularly severe religious violations in Iran.''

The world cannot turn a blind eye to this regime's brutal repression of its own people.

ENROLLED JOINT RESOLUTION 3 OF THE SIXTIETH LEGISLATURE OF THE STATE OF WYOMING

HON. CYNTHIA M. LUMMIS

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mrs. LUMMIS. Madam Speaker, I rise to commend the State of Wyoming for enacting a resolution in support of the 10th Amendment to the Constitution. Enrolled Joint Resolution 3 of the Sixtieth Legislature of the State of Wyoming demands that Congress cease and desist from enacting mandates that are beyond the enumerated powers granted to the Congress by the United States Constitution.

This resolution joins a groundswell of support across America for a return to the federalist principles in our Constitution. I am proud to insert this resolution into the CONGRESSIONAL RECORD on behalf of the people of Wyoming.

Citizens, businesses and States across the country are bracing for the impact of the heavy handed government mandates in President Obama's healthcare plan. Momentum persists among some in Congress for additional federal mandates, taxes, and regulations that will burden State budgets and put entrepreneurs in Main Street America out of business.

There is another way. Our nation's founders left us a recipe for freedom and opportunity in our Constitution, under which the people of the United States consented to a government with limited powers. As stated in the 10th Amendment, all powers not given to the federal government by the Constitution are reserved for the States and the people. I have co-founded in the House of Representatives a 10th Amendment Task Force to advance the principles of federalism and disperse power back to States, local governments and individuals.

Before coming to Washington, I spent my entire adult life dealing with State issues—as a rancher, as a State legislator, and as State Treasurer. I am now astounded by the kinds of issues Members of Congress feel are appropriate for federal intervention.

States know their people better. They know their issues better. Let's return to States what States do best and maintain a strong limited government in Washington to do what it does best—securing the freedom, strength and integrity of this country.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. COFFMAN of Colorado. Madam Speaker, today our national debt is $13,046,148,615,770.79.

On January 6th, 2009, the start of the 111th Congress, the national debt was $10,638,425,746,293.80.

This means the national debt has increased by $2,407,722,869,476.99 so far this Congress.

This debt and its interest payments we are passing to our children and all future Americans.

A TRIBUTE TO CHIEF STEVEN FOSTER IN RECOGNITION OF HIS 20 YEARS OF SERVICE

HON. DANIEL E. LUNGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I rise today to recognize and honor Fire Chief Steven Foster for his 20 years of service to the Cosumnes Community Services District as he now retires.

The Cosumnes CSD serves an estimated 169,000 south Sacramento County residents in a 157-square mile area. Its award-winning parks and recreation services—including the operation of 83 CSD parks—operate exclusively within the Elk Grove community. It provides fire protection and emergency medical services for the cities of Elk Grove and Galt and unincorporated areas of south Sacramento County.

Foster, in addition to his duties as Cosumnes Fire Chief, has been an officer in the California Fire Chiefs Association and has been serving as chair of its legislative committee this year.

Over the years, Chief Foster became the Fire Marshal and ushered in new fire codes. Rising to the rank of Deputy Fire Chief, he was responsible for the Department budget and guided the purchase of numerous properties for future fire stations, managed the construction of Fire Station 72 in Franklin Reserve, and renovated and expanded Station 74 in Laguna.

Foster is a past President of the Sacramento County Fire Marshals and Fire Chiefs Associations. He also has been active in the Elk Grove Rotary Club.

Steven Foster is on the executive board for the Sacramento Area Fire Chaplaincy. He is a member of the Elk Grove Rotary Club, and is a past president for both the Sacramento County Fire Chiefs Association and Sacramento County Fire Marshals Association.

I am pleased to recognize and congratulate Steven Foster on his retirement for his dedication to our community.

IN RECOGNITION OF BUILDON'S COMMITMENT TO EMPOWERING YOUTH TO BECOME LOCAL AND GLOBAL LEADERS IN SERVICE TO THEIR COMMUNITIES

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. PETERS. Madam Speaker I rise today to recognize the Detroit Area Region chapter of buildOn, on the occasion of its 2010 recognition banquet. buildOn is a national organization dedicated to empowering youth to serve communities locally and globally. As a Member of Congress, it is both my honor and privilege to recognize the Detroit Area Region chapter of buildOn for its laudable contributions to my district, our state, and communities around the world.

The Detroit Area buildOn program, formerly known as "Building with Books," began in 1992 with the establishment of its first chapter at Jackson Lumen Christi High School. This school was chosen for buildOn's first program because it is the alma mater of Jim Ziolkowski, the founder and now President & CEO of buildOn. The region has grown over the years to host 14 programs in high schools across the Detroit metro area, including three chapters in my congressional district, transforming the lives of over two hundred students a year. The students of buildOn make a positive difference in our community and in the lives of people around the world.

This year, buildOn's students in the Detroit Area have committed to over twenty thousand hours of community service and raised over $42,000 to build schools in developing nations. In fact, since the inception of the program in the Detroit Area, buildOn students have volunteered over one hundred and sixteen thousand hours and raised over $147,000 for charitable causes. buildOn students volunteer across the metro area for organizations including the Detroit Veterans Center, the Detroit Zoo, Gleaners Food Bank, Boys and Girls Clubs, the Baldwin Center, and a host of other deserving charities. In addition to local volunteerism, the members of buildOn embark on global trips to places such as Nicaragua, Mali, India, Haiti, Malawi and Senegal to participate in cultural exchanges and live with host families, while they work with the local community to build new schools. Since 2001, over one thousand students have traveled to developing countries to help build over sixty schools. This global perspective and volunteerism exemplifies the values of the buildOn program and its mission of, "Enhancing education and empowering youth in the U.S. to make a positive difference in their communities while helping people of developing countries increase their self-reliance through education."

Madam Speaker, in these challenging times, it is the work of dedicated volunteers like the students and staff of buildOn that brings hope to my local community and communities around the world. I look forward to the continued success of the Detroit Area buildOn chapter in all of its future endeavors, as well as many more years of inspiring support for our community and communities around the world.

HONORING PHYLLIS WEBER

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Phyllis Weber upon her retirement as the Principal of El Portal School and Yosemite Park High School. After thirty-two years in education, Ms. Weber will be honored at a retirement party in El Portal, California on Thursday, June 10, 2010.

Ms. Weber received her Bachelor of Arts degree in psychology from the University of Dayton in Ohio and her Master of Arts degree in environmental and outdoor education from San Francisco State University. After three years as an environmental investigator for the Environmental Protection Agency, she became an instructor for the Yosemite Institute starting in January 1976. The Yosemite Institute is one of the nation's leading environmental education organizations dedicated to bringing school age children to Yosemite where they have an opportunity to experience and learn about the majestic place. Ms. Weber became known as a dynamic naturalist and teacher who had an amazing ability to connect with her students, a trait that carried forward throughout her career. At the Yosemite Institute she also met Mr. Art Baggett, a fellow instructor, and now her husband of more than thirty years.

In 1978, Ms. Weber began teaching first, second and third grades at El Portal Elementary School. She has also taught courses for a wilderness program for the Saratoga/Los Gatos High School District, winter ecology for Antioch College, mountain ecology for the University of California at Santa Cruz, Yosemite Natural History for the College of Marin and various college courses for the Yosemite Institute.

As the principal of Yosemite National Park's El Portal School and Yosemite Park High School since 2000, Ms. Weber has gracefully inspired teachers, staff and students to perform at high levels, as confirmed annually by the high test scores at the El Portal School. She has an uncanny ability to see the potential in her students and to draw them out in a way that helps them fulfill their potential. She has also developed a very positive reputation for her community through her school's ability to communicate with, and educate, Spanish-speaking students while making them feel welcome and part of the community.

Ms. Weber's hallmark has been her enthusiasm to encourage new and innovative programs proposed by her teachers, students and parents and to actively seek creative ways to fund these programs. She has become a master at working within school district budgets and has diligently travelled with the district office to Mariposa, Sacramento and Washington, D.C. to support her budget, as well as working closely with parents and the local community on fundraising and support.

In addition to her professional endeavors, Ms. Weber has been very involved in public service and her family has been an integral part of the Yosemite community for several generations. As part of her public service, Ms. Weber was elected to the Board of Trustees for the Yosemite Natural History Association in November 1979 and she began her service on January 26, 1980. For the past thirty years she has served on the Board for the Yosemite Natural History Association, the Yosemite Association and now the Yosemite Conservancy, where she is currently the chair of the education and programs committee. In this role, Ms. Weber and her family share their deep passion for Yosemite and Mariposa County.

Madam Speaker, I rise today to commend and congratulate Principal Phyllis Weber upon her retirement from El Portal School and Yosemite Park High School. I invite my colleagues to join me in wishing Ms. Weber many years of continued success.

HONORING STURGIS, MICHIGAN

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. UPTON. Madam Speaker, I rise today to pay special tribute to the city of Sturgis,

Michigan and its trademark patriotic summer festival that is currently under way. While the name of the festival has changed throughout the years, this year's inaugural ''Sturgis Dam Days'' will surely foster lasting memories for the multitude of generations that look forward to the annual festival.

The 6-day festival brings the entire community together to celebrate the city's rich history and pay special tribute to the Sturgis Dam, which will celebrate its 100th anniversary in 2011.

The hydroelectric dam transmits electricity 18 miles to the Sturgis Municipal Power Plant, giving Sturgis the moniker of the ''Electric City.'' While the dam generates power for the town, ask most folks about it and they will highlight the postcard-perfect views of the dam: the flowing St. Joseph River and the surrounding scenes at the adjacent Covered Bridge Park.

This year's Sturgis Dam Days festival includes a variety of events throughout the week for all to enjoy. The Sturgis Chamber of Commerce kicked off the festival by welcoming the community for dinner and the St. Joseph Sheriff's Department transformed into the Pony Express in period clothing to give the official proclamation to commence the celebration. Events throughout the week include an art fair; the American Legion Hog Roast; ''Experience Sturgis,'' a history walk through the city; a family picnic in Franks Park; a vintage Sturgis Biscuits baseball game; the Relay for Life at Sturgis High School; a parade down US–I2; and the culminating event, the Sturgis Dam Rodeo.

The festival has been a beacon of economic activity and growth through the years, and continues to draw countless families to the region each year.

I congratulate the city of Sturgis and all of its residents for sharing such a wonderful community event. Through the years the annual festival has become woven into the fabric of the lives of so many folks throughout southwest Michigan. Sturgis has such a rich heritage and offers so much to the region's families. I look forward to the festival's continued success with many more Sturgis Dam Day celebrations for years to come.

HONORING CHARLOTTE ''CHUCKIE'' HOLSTEIN

HON. DANIEL B. MAFFEI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. MAFFEI. Madam Speaker, I stand today to congratulate Charlotte ''Chuckie'' Holstein on being honored as the First Annual F.O.C.U.S. Greater Syracuse Wisdom Keeper Award recipient. She has been an active member of the Central New York community, and for that I am very thankful.

Chuckie is the founder of many organizations serving the people of Central New York, including F.O.C.U.S. Greater Syracuse, Leadership Greater Syracuse, Youth Leadership Greater Syracuse, the Syracuse/Onondaga County Citizens Academy, the Syracuse Commission for Women, Meals on Wheels, and the City/County Office of the Aging.

She has served the Central New York area as the Chair of Loretto, a Member of the Central New York District Board for Key Bank, a trustee of Cazenovia College and the Manlius Pebble Hill School, Chair of Advisory boards for the School of Social Work and College For Human Development of Syracuse University and a Member of the College at Brockport Foundation.

Chuckie has also served her state, her nation, her faith and the world in a number of initiatives dealing with social justice, world peace and women's issues.

In closing, I'd like to express my appreciation for all of the hard work she has done. Please join me in congratulating Charlotte ''Chuckie'' Holstein on being honored with the First Annual F.O.C.U.S. Greater Syracuse Wisdom Keeper Award.

INDIAN AMERICAN CULTURAL CENTER BHARATIYA TEMPLE GRAND OPENING

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. VISCLOSKY. Madam Speaker, it is with great honor and pleasure that I stand before you today to recognize the Indian American Cultural Center of Northwest Indiana as they celebrate the grand opening of the Bharatiya Temple of Northwest Indiana. They will be commemorating the event with the religious and historic tradition of Maha Kumbhabhishekam. This event will take place over three days, from Friday, June 18, 2010 to Sunday, June 20, 2010, at the Bharatiya Temple of Northwest Indiana in Merrillville.

The Indian American Cultural Center of Northwest Indiana opened on March 9, 2002, and operates as ''a place to preserve, nourish, and advance the Indian culture, heritage, religious values, and social values.'' In order to continue to advance the teachings and culture of the Indian American people and the Hindu religion, the members of the Indian American Cultural Center decided to expand the existing building and to give the community a legacy in the form of the truly glorious Bharatiya Temple of worship. The Indian American community will be celebrating Maha Kumbhabhishekam, which is a Hindu tradition performed when a new Temple is built and installed with new deities (Gods or Goddesses). Many religious rituals of the Hindu religion will be performed during the celebration which will sanctify the beloved Bharatiya Temple of Northwest Indiana. It is a Hindu belief that taking part and witnessing a Maha Kumbhabhishekam is a lifetime blessing.

Madam Speaker, I ask that you and my distinguished colleagues join me in honoring the Indian American Cultural Society of Northwest Indiana and its congregation as they celebrate the opening of the Bharatiya Temple of Northwest Indiana and observe the religious and historic tradition of Maha Kumbhabhishekam. Through their words and teachings, this honorable organization shares with us the rich culture and tradition of the Indian American people as well as the traditions of the Hindu religion.

IN RECOGNITION ANNIE & AVERY GRANT

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. PALLONE. Madam Speaker, I rise today to honor the 50th anniversary of the marriage of Annie and Avery Grant, both exemplary and active members of their community. A simple glance at their dedication to civil service in Monmouth County, New Jersey uncovers a long history of local works and an extraordinary drive to improve the state in all aspects of public life. On the day of their golden anniversary, Annie and Avery Grant are indisputably worthy of this body's recognition.

Annie Grant was born Annie Williams in New York City on October 27, 1935, and has been recognized as a New Jersey State Notary Public for her many years of tireless service in professional and public life. In 1991, Mrs. Grant was appointed Commissioner on the Monmouth County Board of Taxation, a position she held for 17 years until she retired in 2008. She was the first African-American to hold this position in Monmouth County. Mrs. Grant's accomplishments extend far beyond this office, however, as she has also led a long life of involvement in local politics. In addition to being the 1989 Democratic candidate for Monmouth County Clerk, Mrs. Grant has been the Long Branch Democratic Club's treasurer for 30 years, and was named Woman of the Year in Politics in 1992. Her intelligence and breadth of knowledge is what led me to invite her to speak about Social Security reform at the Democratic Congressional Roundtable in 2005.

Avery Grant was born on July 9, 1933 in Memphis, Tennessee, and has led a prolific life of public works. A Vietnam Veteran, Mr. Grant is a retired Lieutenant Colonel in the U.S. Army Signal Corps, as well as a Professional Engineer, formerly with East Orange and the New York Transit Authority. Additionally, he is tirelessly active in the community of Long Branch, from serving on the Board of Education for over 12 years running to cofounding and editing the Community Newspaper, a bi-weekly, Monmouth County African-American newspaper. He has also been involved in over eight Monmouth County organizations, including but not limited to the Red Cross, Habitat for Humanity, the NAACP, and EXODUS, a halfway house focusing on substance abuse. His avid dedication to the city of Long Branch and Monmouth County landed him a spot on The City News' list of ''100 Most Influential in New Jersey.''

These remarkable individuals married on June 12, 1960. They have two children, Adrianne and Avery Jr., and seven grandchildren. Their ability to maintain a beautiful, loving family in concert with their incredible efforts in their community is an inspiration to us all. They are valued members of their communities and a credit to the state of New Jersey.

ANNIVERSARY OF IRAN'S PRESIDENTIAL ELECTIONS

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. KIRK. Madam Speaker, June 12th will mark the one-year anniversary of the fraudulent presidential elections in Iran. In the wake of street protests that followed, human rights in Iran have gravely deteriorated.

On this day, we must remember the dozens of courageous individuals murdered by this brutal regime and the hundreds of others detained without legal recourse. We must remember Neda Agha Soltan, the innocent young woman slain by the Basij militia.

The post-election crackdown fully exposed the Iranian regime's continuing oppression of political dissidents as well as religious and ethnic minorities.

In the spring of 2008, seven leaders of the Baha'i community were arrested and detained in Tehran's notorious Evin prison on charges of ''spreading corruption on earth,'' among other outrageous falsehoods. They have been incarcerated for 20 months before a show trial can even commence. Moreover, according to the U.S. Commission on International Religious Freedom, as many as 45 members of the Baha'i community are currently imprisoned in Iran solely on the basis of their religious identity.

The fourth court appearance of the Baha'i leaders is scheduled for June 12 to coincide with the one-year anniversary of the stolen election.

The cynicism of the Iranian regime knows no bounds.

It is time that the United States and the international community hold Iran accountable for denying the fundamental freedoms to its people.

Yesterday, in commenting on the passed UN Security Council resolution on the Iranian nuclear program, the President stated that ''whether it is threatening the nuclear non-proliferation regime, or the human rights of its own citizens, or the stability of its own neighbors by supporting terrorism, the Iranian government continues to demonstrate that its own unjust actions are a threat to justice everywhere.''

I agree with the President. His words should now be followed with action. We must raise the stakes for the Iranian leadership to cease its human rights abuses and abide by the rules of the international community.

This Administration needs to prioritize human rights as a focal point of its Iran policy. American diplomats should continually raise the issue of human rights in Iran. We must urge our international allies to use their bilateral relationships and diplomatic missions in Tehran to call for the release of Iranian dissidents, religious minorities, and other prisoners of conscience.

Most importantly, the President should speak publicly and directly to the Iranian people that the United States will never abandon them in their struggle for freedom and fundamental human rights.

INTRODUCING THE CHESAPEAKE BAY PROGRAM REAUTHORIZATION AND IMPROVEMENT ACT

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. GOODLATTE. Madam Speaker, I rise today to join my colleague Rep. HOLDEN in introducing the Chesapeake Bay Program Reauthorization and Improvement Act.

The Chesapeake Bay, the largest estuary in the U.S., is an incredibly complex ecosystem that includes important habitats and is a cherished part of our American heritage. The Bay Watershed includes all types of land uses, from intensely urban areas, spread out suburban development and diverse agricultural practices. But unquestionably the Bay is in need and worthy of our attention and concern and I believe everyone has a role to play in restoring it.

I have long worked with my colleagues here in Congress to find ways to protect and restore the Bay. In fact, Mr. HOLDEN and I worked very hard with the other members of the Agriculture Committee to establish a mechanism and a funding source in the 2008 farm bill for addressing issues related to protecting the Chesapeake Bay Watershed. The farm bill provided unprecedented incentive-based funding to help farmers and ranchers improve management practices, which would directly result in improving water quality in the Bay. We must now continue in our efforts to restore and protect the Chesapeake Bay by reauthorizing the Chesapeake Bay Program.

There are other proposals to reauthorize the Bay Program. The goal of all involved is the same, the continued health and vitality of the Bay, but the map to that health and vitality is being strongly debated. Unfortunately, proposals like the Presidential Executive Order, and legislation that would codify this order, would force more mandates and overzealous regulations on all of those who live, work, and farm in the Chesapeake Bay Watershed. This strategy will limit economic growth and unfairly overregulate our local economies. My colleagues and I recognized that we must form a proposal that does not pit the health of the bay against the strength and vitality of our local communities and that is why we rise today to introduce the Chesapeake Bay Program Reauthorization and Improvement Act.

Instead of overregulation and intrusion into the lives and livelihoods of those who choose to make the Bay Watershed their home, our legislation allows States and communities more flexibility in meeting water quality goals so that we can help restore and protect our natural resources. Our bill sets up new programs to give farmers, homebuilders, and localities new ways to meet their water quality goals. This includes preserving current intrastate nutrient trading programs that many Bay states already have in place, while also creating a voluntary interstate nutrient trading program. Additionally, this bill creates a voluntary assurance program for farmers. The program will deem farmers to be fully in compliance with their water quality requirements as long as they have undertaken appropriate conservation activities to comply with State and federal water quality standards.

Also, our bill makes sure that the agencies are using common sense when regulating water quality goals for localities. Our legislation requires the regulators to take into account the availability, cost, effectiveness, and appropriateness of practices, techniques, or methods in meeting water quality goals. This will ensure that localities are not being mandated to achieve a reduction in nutrient levels by a prescribed date, when no technology exists to achieve that reduction within that timeline.

While our bill does a lot to improve water quality, we also call for more oversight over the Chesapeake Bay Program. For over 3 decades Congress has been working to preserve and protect the Chesapeake Bay. Despite the efforts of the federal, State, and local governments, the health of the Bay is still in peril. The participants in restoring the Bay include 10 federal agencies, six states and the District of Columbia, over one thousand localities and multiple nongovernmental organizations. This legislation would fully implement two cutting-edge management techniques, crosscut budgeting and adaptive management, to enhance coordination, flexibility and efficiency of restoration efforts. Neither technique is currently required or fully utilized in the Bay restoration efforts, where results have lagged far behind the billions of dollars spent. Further, this bill calls for a review of the EPA's Bay model. We often hear complaints from those who make good faith efforts to restore the Bay that their efforts are not being recognized by EPA's Bay model. EPA's model does not account for any voluntary measures being undertaken on farms to control nitrogen and phosphorous nor does it even account for some of the nitrogen and phosphorous reductions that are being achieved through government programs like USDA's Environmental Quality Incentives Program. Effectively, EPA is ignoring nutrient reductions that have already been achieved. Our legislation requires that an independent evaluator assess and make recommendations to alter EPA's Bay model, so that we can develop a model that will capture all of the nutrient reductions that are happening in the Bay.

Madam Speaker, the people who call the Bay Watershed home are the ones who are the most concerned about protecting and restoring the Chesapeake Bay. Unfortunately, too often these hardworking individuals are cast as villains and placed in a position where restoring the Bay is pitted against the economic livelihoods of their communities. We can restore the Bay while also maintaining the economic livelihood of these communities. The Chesapeake Bay Program Reauthorization and Improvement Act is the way we can do both. I look forward to working with my colleagues in the Congress, so that we can pass this important legislation and work to restore the Chesapeake Bay.

RECOGNIZING THE FIFTY-THIRD NATIONAL PUERTO RICAN DAY PARADE

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. SERRANO. Madam Speaker, it is with great pleasure that I rise today to pay tribute to the Fifty-Third National Puerto Rican Day

Parade, which will be held on June 13, 2010, in New York City. A radiant and star-studded event, this parade proudly recognizes the heritage of Puerto Rican people here in the United States, and year upon year has proven to be one of our nation's largest outdoor festivities.

The National Puerto Rican Day Parade is the successor to the New York Puerto Rican Day Parade, which held its inaugural celebration on Sunday, April 12th, 1958, in ''El Barrio,'' Manhattan. The impact of the first Puerto Rican Day Parade in New York was immediate and resounding. Thousands of New York Puerto Ricans flooded the streets in a very public, very proud demonstration of their emergence in the city as an important and growing ethnic group. For the next 38 years, the New York Puerto Rican Day Parade became a staple of New York's cultural life. In 1995, the overwhelming success of the parade prompted organizers to increase its size and transform it into the national and international affair that it is today.

On June 13 delegates representing over thirty states, including Alaska and Hawaii, will join the roughly 3 million parade goers every year who turn New York's Fifth Avenue into a sea of traditional red, white, and blue flags. It's a picture unlike anything you will see anywhere else in the country. Not only because New York is the most international city in the world, but also because of the relationship that exists between New York and the Puerto Rican community. It's an historic relationship essentially born of mutual benefit and respect. Puerto Ricans have helped transform New York into a dynamic, bilingual city that continues to welcome newcomers from all over the globe, and the city of New York, believed by many to be a place of opportunity, has enabled Puerto Ricans to flourish economically, culturally and politically.

The success that the parade enjoys each year is brought about in large measure by the continued efforts of a choice few individuals—women and men of able leadership who believe, as I do, in the unbound potential of people of Puerto Rican descent. The Parade's march up Fifth Avenue, while certainly the most visible aspect of the celebration, is hardly the only event associated with the National Puerto Rican Day Parade, Inc.'s activities. Each year more than 10,000 people attend a variety of award ceremonies, banquets and cultural events that strengthen the special relationship shared by Puerto Ricans and the city of New York.

Madam Speaker, the National Puerto Rican Day Parade is an experience unlike any other. It signals to all who witness it that the Puerto Rican community, both in New York and nationally, represents an exquisite tapestry of individuals. Its power can be seen on the faces and heard in the streets, as millions come together to joyously proclaim their heritage. And so, Madam Speaker, as a Puerto Rican and a New Yorker, and as someone who participates in this parade annually, I stand before you and my colleagues in Congress with a full and proud heart to pay tribute to the sights and sounds and wonder that is the National Puerto Rican Day Parade.

TRIBUTE TO HAMPSHIRE COLLEGE ON ITS 40TH ANNIVERSARY

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. OLVER. Madam Speaker, I rise today to celebrate Hampshire College for opening its doors and welcoming its first students 40 years ago tomorrow.

The Pioneer Valley of Western Massachusetts is home to the Five College Consortium, which includes three private liberal arts colleges, Amherst, Mount Holyoke and Smith; the state's flagship public university campus, the University of Massachusetts Amherst; and a progressive institution of higher education, Hampshire College. For 40 years now, the Consortium has served as a vehicle for collaboration and resource sharing across all five campuses, including broadening access to higher education and unsurpassed academic excellence. This structure encourages the use of a vast curriculum, faculty and resources, and presents each student with a richer and fuller educational experience.

Hampshire College was founded within this consortial setting to offer an original education in which students design their own course of study in close consultation with faculty mentors. Hampshire's educational approach emphasizes individual choice and development, and its pedagogical cornerstone is an inquiry-based mode of teaching and learning. Just as it attracts talented and intellectually ambitious students, Hampshire appeals to faculty who are excited to experiment with new methods of teaching, and are keen to co-teach with their colleagues.

Rather than being characterized by traditional, discipline-based departments, Hampshire College has five academic schools: the School of Cognitive Science; Interdisciplinary Arts; Humanities, Arts and Cultural Studies; Natural Science; and the School of Critical Social Inquiry. Each school develops an innovative curriculum, which is project-based and immediately challenges students with current problems in the research literature. Research and teaching at Hampshire tend to work across discipline-based boundaries, as faculty and students collaborate to grapple with problems from a range of perspectives, with an eye toward community impact, social justice, and the well-being of others. Team teaching and interdisciplinary research serve as the basis for collaboration and reflect a remarkable degree of creativity. A low student-faculty ratio (12:1) allows for an emphasis on individualized and small group training, where faculty research and artistic expression is fully integrated into coursework, inviting each class into the process of intellectual and artistic discovery.

Within this mission—and wherever possible—Hampshire students ask questions that motivate their undergraduate years. Careful mentoring at Hampshire has shown to inspire and motivate students beyond the classroom, often resulting in students continuing their education at the graduate level, and indeed, culminating in rewarding careers.

I am honored to represent this fine institution of higher learning. Please join me in congratulating Hampshire College as it continues to define and communicate its extraordinary mission for the next generations of students, their families and the general public.

HONORING DR. JOSEPH W. BASCUAS, INTERIM PRESIDENT OF BECKER COLLEGE, WORCESTER, MA

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. McGOVERN. Madam Speaker, I rise to recognize Dr. Joseph W. Bascuas for his accomplishments as Becker College interim president and for his dedication to quality higher education.

Becker College, located in Worcester and Leicester, Massachusetts, serves more than 1,700 students from 18 states and 12 countries, and offers over 25 diverse, first-quality bachelor degree programs in unique, high-demand career niches. Born in Cuba, he shares my dedication to improving relations with Latin America. Dr. Bascuas utilized his great volume of experience and passion for quality higher education and strong relationships in his role as Becker College interim president.

The Becker College Board of Trustees named Dr. Bascuas as interim president on September 26, 2008. Dr. Bascuas gave his leadership and support to the Becker College community in various ways during his tenure. He brought more than 25 years of experience in higher education to Becker College.

Prior to serving as interim president at Becker College, Dr. Bascuas served as president of Medaille College, Buffalo, NY, a private institution that offers undergraduate and graduate degrees, from 2002 through 2006. Dr. Bascuas successfully took Medaille through an accreditation and strategic planning; completed a $2.4 million capital campaign; nearly doubled revenue and undergraduate freshman to sophomore retention; and increased overall and undergraduate enrollment as well as the number of resident students. As founding president Argosy University Atlanta, GA campus, Bascuas spent 12 years with the Argosy Education Group. During his tenure, the Argosy corporate entity grew from three to thirteen campuses, offering undergraduate and graduate programs in business, education, and psychology, two law schools, and one technology-focused school. Dr. Bascuas also increased enrollment at all campuses, introduced new programs at five campuses, and hired presidents at two campuses. Previously, Bascuas held administrative and teaching positions at the Georgia School of Professional Psychology, Antioch University, Nova/Southeastern University and Salve Regina University. He has held a number of positions with professional boards and associations, most recently as site visit team chair for the Middle States Commission on Higher Education, and he has served on the National Collegiate Athletic Association Division III Presidents Council. Dr. Bascuas has written and co-authored numerous papers on psychological topics and has presented at symposia and conferences. He received a B.A. from La-Salle University and an M.A. and a Ph.D. from Temple University.

As interim president, Dr. Bascuas encouraged Becker to find ways to provide more aid

to students who need it most, thus increasing retention among current students and giving access to new students. Dr. Bascuas was successful in communicating across audiences, promoting unity among Becker College's two campuses, forging relationships with faculty, and energizing the board of trustees. On a personal note, I appreciate his strong interest in promoting the College's nursing education program and his personal invitation to me to participate in the ''Pinning'' graduation ceremony for its nursing students.

Madam Speaker, I would like to commend Dr. Joseph W. Bascuas for his remarkable work as interim president. I ask my colleagues to join me in thanking Dr. Bascuas for his work and wishing him all the best in his future endeavors.

IN CELEBRATION OF DR. EDDIE GREEN'S RETIREMENT AS DIRECTOR OF THE HORIZON-UPWARD BOUND PROGRAM OF CRANBROOK SCHOOLS AFTER HIS TEN YEARS OF SERVICE

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. PETERS. Madam Speaker, I rise today to recognize Dr. Eddie Green on the occasion of his retirement as Director of the Horizons-Upward Bound, HUB, program at Cranbrook Schools, and to celebrate and honor his 10 years of service. As a Member of Congress it is both my honor and privilege to recognize and congratulate Dr. Green on this most auspicious occasion.

Dr. Green's dedication to educating and nurturing our youth long precedes his work with the Horizons-Upward Bound program. Prior to his current work with HUB, Dr. Green served for many years in the Detroit Public Schools. Dr. Green began his career as a teacher in the classroom and through unwavering commitment to his students, fellow educators and the community rose to become the Detroit Public Schools' General Superintendent and Chief Executive Officer. As the Schools' Chief Executive, Dr. Green carried out his vision of engaging all sectors of the Detroit community in the fight to increase student achievement by creating a confident, committed and supportive community.

Horizons-Upward Bound was founded in 1965 with the mission of preparing students of limited opportunity in the Detroit metropolitan region to enter into and excel in post-secondary education opportunities and beyond. When Dr. Green began his work with HUB in May 2000, he brought with him the same passion and zeal which made him such a strong and effective leader for educating our youth. As its Director, Dr. Green implemented several new programs which furthered the mission of HUB, including financial literacy education for high school seniors, a comprehensive mentoring program for all HUB participants, an annual east coast college tour for high school sophomores, and the Weekend Wilderness Experience for summer HUB participants. In each case, the programs that Dr. Green designed furthered the educational enrichment of Detroit area youth, while exposing them to new opportunities and experiences.

Madam Speaker, I ask my colleagues to join me today in celebrating Dr. Eddie Green's retirement after 10 years of service as Director of the Horizons-Upward Bound program of Cranbrook Schools and for his lifetime of work in public education. The profound impact of Dr. Green's work is felt in the lives of so many of our youth in the Detroit metropolitan area and I wish him many healthy years in his retirement.

COMEMMORATING D-DAY AND HONORING THE VIRGINIA NATIONAL GUARD

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. WOLF. Madam Speaker, I was honored on June 5 to join in a salute to the Virginia National Guard and the role of its Third Battalion, 116th Infantry Regiment, 29th Infantry Division in the D-Day invasion.

The event was held at the National Guard Armory in Winchester and organized by the Honorable Jack Marsh, former Virginia congressman and counselor to President Ford, the longest serving secretary of the Army, and my long-time friend and mentor. Earlier this year Jack helped draft a resolution passed by the Virginia General Assembly which commemorated the Virginia National Guard's 29th Division for its part in storming Omaha Beach and invading Normandy on D-Day—June 6, 1944.

On Monday, May 31, Madam Speaker, we observed Memorial Day. We honored those who made the ultimate sacrifice in service to their country. I also took time last week to visit Gettysburg where President Lincoln so eloquently described that kind of sacrifice in his ringing words of the Gettysburg Address: They gave ''the last full measure of devotion.''

As we reflect this week on the 66th anniversary of D-Day, many people may not know that the only National Guard Division on the beach at Normandy was the 29th Division of Virginia, Maryland and District of Columbia National Guard. And only one Regiment of the 29th—Virginia's 116th Infantry, which includes the 3rd Battalion that calls the Winchester Armory home—was selected to be in the first wave at Omaha Beach.

There were 17 Virginia communities in the Infantry units of the 116th—from Winchester, Berryville and other places stretching up and down the Shenandoah Valley. This historic unit is the sixth oldest regiment of the Army and its predecessors served under our forebears—George Washington and Stonewall Jackson—giving it the name: ''Stonewall Brigade.''

The soldiers of the Stonewall Brigade stormed the beach with 3,100 officers and men. They had to cross over 300 yards of sand beach under heavy crossfire to reach the shore and fight their way up bluffs that towered to 100 feet. By the end of what is known as ''the longest day,'' the 116th took over one thousand casualties. Military historians call the Omaha battle the most violent of World War II. Only a handful of those who crossed the beach, who Tom Brokaw has called, ''the Greatest Generation,'' remain.

Once on shore the mission of the 29th Division was the capture of the city of St. Lo, a key transportation hub. It proved to be an arduous task. German defenses were formidable. Timetables were disrupted. Mid-July found the 3rd Battalion 116th Infantry at the edge of St. Lo. It had a new commander, Major Tom Howie of Staunton, Virginia, where he taught English, and coached football at Staunton Military Academy.

Howie was from South Carolina and a 1929 graduate of the Citadel where he was class president and an all-state half-back. Tom Howie became the role model for the character Captain Miller, played by Torn Hanks, in the film, ''Saving Private Ryan.''

The second battalion of the 116th became surrounded near St. Lo. Major Howie's 3rd Battalion in a night attack operation broke through German lines to relieve the 2nd Battalion. In the morning on July 17, Howie and his troops continued the attack on St. Lo. His last words were ''see you in St Lo'' before he was killed instantly by German mortar fire. Loved and respected by his men, his body was draped in an American flag and placed on the hood of a Jeep that led the victorious troops into the city. There on a pile of rubble of the Church of St. Croix it was placed to honor him.

A Life magazine photographer happened by, and took the famous picture. Because of censorship neither the soldier, nor unit could be identified. It was captioned only, ''The Major of St. Lo,'' but it was seen round the world. The French have since built a monument to honor him. Today there is also a Howie Bell Tower near the Citadel Parade Ground at his alma mater.

When the 29th Division deployed to England in September 1942, Tom Howie bid his wife and small daughter Sally, not quite 4-years-old, goodbye. They would never see him again. His daughter, now Sally McDivitt, age 71, of Culpeper, Virginia, was an honored guest at the ceremony in Winchester and unveiled a portrait of her father, which will be displayed in a classroom at the armory bearing Major Howie's name.

Madam Speaker, Sally Howie McDivitt is a symbol of the sacrifice made by military families, then and now. The 116th made extraordinary contributions at Normandy and continues in that sacrifice of service today. The spirit of the heroes of D-Day lives on in the men and women of the 116th of today. They call the same places in Virginia home and show the same dedication and courage by fighting for freedom and democracy in places which are continents away.

This same unit has now served two tours in Iraq and Afghanistan and has lost two members, Staff Sgt. Craig Cherry, 39, of Winchester, and Sgt. Bobby Beasley, 36, of Inwood, West Virginia. The Winchester Armory now bears their names. I have visited troops in Iraq and Afghanistan, including soldiers from Virginia. They deserve our support and gratitude for accepting the same responsibilities and hardship of those in the uniform of their country who have gone before them.

We must always remember that when we send men and women into harm's way, their families are also sacrificing for their country. Military families, then and now, bear a heavy burden. They have been willing to sacrifice their goods, their comforts, their husbands, sons, daughters, fathers, and brothers. They are willing, as words of the Declaration of Independence state: to pledge their lives, their

fortunes and their sacred honor for their country.

In a speech given at Point du Hoc, France, commemorating D-Day in 1984, President Reagan said:

''The men of Normandy had faith that what they were doing was right, faith that they fought for all humanity, faith that a just God would grant them mercy on this beachhead or on the next. It was the deep knowledge—and pray God we have not lost it—that there is a profound moral difference between the use of force for liberation and the use of force for conquest.''

We call on our colleagues and every citizen of America—the land of the free and home of the brave—to continue to strengthen the character of our nation, which has been built through hardships, and the freedom of our nation, which has been ensured through the lives of so many before us, including those brave souls from Winchester and the Shenandoah Valley who fought their way onto the shores and up the bluffs of Omaha Beach.

RECOGNIZING DR. JOSEPH W. BASCUAS, INTERIM PRESIDENT OF BECKER COLLEGE, LEICESTER, MASSACHUSETTS

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. NEAL of Massachusetts. Madam Speaker, I rise today to pay tribute to Dr. Joseph W. Bascuas for serving as Becker College's interim president and for his promotion of high academic standards.

The Becker College Board of Trustees named Dr. Bascuas as interim president on September 26, 2008. Dr. Bascuas gave his leadership and support to the Becker College community in various ways during his tenure. Specifically, he brought more than 25 years of experience in higher education to Becker College.

During his time at Becker College, Dr. Bascuas strengthened relations with the local community, encouraging the investment of college resources to the benefit of the local community. Specifically, he effectively emphasized new collaborations with the Town of Leicester Public Schools and championed the college's plans to transition part of the landmark Reverend Samuel May House into a visitor center for the town. On a personal note, I appreciate his interest in promoting civil rights and his personal invitation to address students on this important chapter of our nation's history and served as the commencement speaker for the graduating class of 2010.

Becker College is a unique New England college. The institution, which traces its history to 1784, is comprised of two separate campuses only six miles apart, one in Leicester and the other in Worcester, Massachusetts, each with its own dormitories, library, dining hall and academic facilities. The college serves more than 1,700 students from 18 states and 12 countries, and offers more than 25 diverse, quality bachelor degree programs in unique, high-demand career niches ranging from nursing and equine management to computer game design and a variety of adult learning options.

Prior to serving as interim president at Becker College, Dr. Bascuas served as president of Medaille College, Buffalo, NY, a private institution that offers undergraduate and graduate degrees, from 2002 through 2006. Dr. Bascuas successfully took Medaille through an accreditation and strategic planning; completed a $2.4 million capital campaign; nearly doubled revenue and undergraduate freshman to sophomore retention; and increased overall and undergraduate enrollment as well as the number of resident students. As founding president of Argosy University Atlanta, GA campus, Bascuas spent 12 years with the Argosy Education Group. During his tenure, the Argosy corporate entity grew from 3 to 13 campuses, offering undergraduate and graduate programs in business, education, and psychology, two law schools, and one technology-focused school. Dr. Bascuas also increased enrollment and revenues at all campuses, introduced new programs at five campuses, and hired presidents at two campuses. Previously, Bascuas has held administrative and teaching positions at the Georgia School of Professional Psychology, Antioch University, Nova/Southeastern University and Salve Regina University. He has held a number of positions with professional boards and associations, most recently as site visit team chair for the Middle States Commission on Higher Education, and he has served on the National Collegiate Athletic Association Division III Presidents Council. Dr. Bascuas has written and co-authored numerous papers on psychological topics and has presented at symposia and conferences. He received a B.A. from LaSalle University and an M.A. and a Ph.D. from Temple University.

Mr. President, I again thank Dr. Joseph W. Bascuas for his great contributions to Becker College and the Town of Leicester. I ask my colleagues to join me in wishing Dr. Joseph W. Bascuas all of the best in his future endeavors.

THIRD TIME IS A CHARM FOR SOUTHWEST RANDOLPH

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. COBLE. Madam Speaker, on behalf of the citizens of the Sixth District of North Carolina, we wish to extend our congratulations to the Southwest Randolph High School softball team for winning the North Carolina High School Athletic Association State 3–A softball championship for the third time in four years.

The Southwest Randolph Cougars defeated Crest High School 6–1 on June 5, 2010, at Walnut Creek Softball Complex in Raleigh, North Carolina, to win the title.

The win did not come easily with the Cougars trailing 1–0 after the third inning. After readjusting to the Chargers' pitching style and hitting fewer pop-ups, the Cougars managed to score a run in the fourth inning.

Cougars' pitcher Julia Calicutt was able to stop the Chargers from scoring additional runs in the fifth and sixth innings. Having played two seasons behind Southwest Randolph's four-year starter Anna Maness, Calicutt was finally given her chance to shine.

Calicutt's athleticism and hard work gave the Cougars the opportunity they needed to claim the state title. The Cougars ended the game tacking on three additional runs in the fifth inning and two in the sixth. ''It's an awesome feeling,'' Calicutt told the Asheboro Courier-Tribune. ''There were doubts at the beginning of the season. We had to do this to prove ourselves,'' added Calicutt.

The championship team members included: Cythnia Hayes, Hannah Hughes, Erin Billups, Olivia Hickman, Julia Callicutt, Kelsey Hoover, Victoria Hunt, Sydney Hyder, Sloane King, Ashia Nicholson, Kaylee King, Paige Parrish, Hayleigh Clapp, Brooke Hayes, Hagan Kiser, Felicia Brady, Braden Newlin, and Alexandria O'Connell. Assisting Head Coach Ricky Martinez were Brooke Smith, Robert Hayes and Wendell Seawell.

Again, we would like to congratulate Southwest Randolph High School's softball team, faculty, staff, students, and fans for an outstanding championship season.

PERSONAL EXPLANATION

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Mr. KENNEDY. Madam Speaker, I regret that I was unable to participate in a series of votes on the floor of the House of Representatives today.

Had I been present to vote on rollcall No. 337, on a motion to suspend the rules and pass the bill H.R. 1961, the Hoh Indian Tribe Safe Homelands Act, I would have voted ''aye'' on the question.

Had I been present to vote on rollcall No. 338, on a motion to suspend the rules and pass the bill H. Res. 518, Honoring the life of Jacques-Yves Cousteau, explorer, researcher, and pioneer in the field of marine conservation, I would have voted ''aye'' on the question.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4787–S4867

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 3475–3482, and S. Res. 549–550. **Pages S4849–50**

Measures Reported:

S. 1388, to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam. (S. Rept. No. 111–204)

S. 3087, to support revitalization and reform of the Organization of American States, with an amendment in the nature of a substitute. (S. Rept. No. 111–205) **Page S4849**

Measures Passed:

Cruise Vessel Security and Safety Act: Senate passed H.R. 3360, to amend title 46, United States Code, to establish requirements to ensure the security and safety of passengers and crew on cruise vessels, after agreeing to the following amendment proposed thereto: **Page S4865**

Dorgan (for Rockefeller) Amendment No. 4339, in the nature of a substitute. **Pages S4865–66**

National Health Information Technology Week: Senate agreed to S. Res. 550, designating the week beginning on June 14, 2010, and ending on June 18, 2010, as "National Health Information Technology Week" to recognize the value of health information technology to improving health quality. **Page S4866**

Measures Considered:

EPA Greenhouse Gases Resolution: Senate began consideration of the motion to proceed to consideration of S.J. Res. 26, disapproving a rule submitted by the Environmental Protection Agency relating to the endangerment finding and the cause or contribute findings for greenhouse gases under section 202(a) of the Clean Air Act. **Pages S4789–S4836**

During consideration of this measure today, Senate took the following action:

By 47 yeas to 53 nays (Vote No. 184), Senate rejected the motion to proceed to consideration of the joint resolution. **Page S4836**

Appointments:

United States Commission on International Religious Freedom: The Chair, on behalf of the President pro tempore, upon the recommendation of the Republican Leader, pursuant to Public Law 105–292, as amended by Public Law 106–55, and as further amended by Public Law 107–228, appointed the following individual to the United States Commission on International Religious Freedom: Leonard A. Leo of Virginia Vice Preeta D. Bansal. **Page S4866**

American Jobs and Closing Tax Loopholes Act—Agreement: A unanimous-consent agreement was reached providing that at approximately 3 p.m., on Monday, June 14, 2010, Senate resume consideration of the amendment of the House of Representatives to the amendment of the Senate to H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions. **Page S4866**

Nominations—Agreement: A unanimous-consent agreement was reached providing that at 11:30 a.m., on Tuesday, June 15, 2010, Senate begin consideration and debate concurrently the following nominations for a total of 20 minutes, with the time equally divided and controlled between Senators Leahy and Sessions, or their designees: Tanya Walton Pratt, of Indiana, to be United States District Judge for the Southern District of Indiana, Brian Anthony Jackson, of Louisiana, to be United States District Judge for the Middle District of Louisiana, and Elizabeth Erny Foote, of Louisiana, to be United States District Judge for the Western District of Louisiana; that upon the use or yielding back of time, Senate vote on confirmation of the nominations, in the order listed; that after the first vote, the succeeding votes be limited to 10 minutes each. **Page S4865**

Nominations Confirmed: Senate confirmed the following nominations:

6 Coast Guard nominations in the rank of admiral.

Routine lists in the Coast Guard, and National Oceanic and Atmospheric Administration.

Page S4867

Nomination Received: Senate received the following nomination:

James E. Graves, Jr., of Mississippi, to be United States Circuit Judge for the Fifth Circuit. Page S4866

Messages from the House: Pages S4847–48

Measures Referred: Page S4848

Executive Communications: Pages S4848–49

Executive Reports of Committees: Page S4849

Additional Cosponsors: Pages S4850–51

Statements on Introduced Bills/Resolutions: Pages S4851–59

Additional Statements: Pages S4845–47

Amendments Submitted: Pages S4859–64

Authorities for Committees to Meet: Pages S4864–65

Privileges of the Floor: Page S4865

Record Votes: One record vote was taken today. (Total—184) Page S4836

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:05 p.m., until 2 p.m. on Monday, June 14, 2010. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4866.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nomination of John S. Pistole, of Virginia, to be Assistant Secretary of Homeland Security, after the nominee testified and answered questions in his own behalf.

U.S.-CHINA ECONOMIC RELATIONSHIP

Committee on Finance: Committee concluded a hearing to examine the United States-China economic relationship, focusing on a new approach for a new China, after receiving testimony from Timothy F. Geithner, Secretary of the Treasury.

STRATEGIC ARMS CONTROL AND NATIONAL SECURITY

Committee on Foreign Relations: Committee concluded a hearing to examine Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed in Prague on April 8, 2010, with Protocol (Treaty Doc.111–05), after receiving testimony from Lieutenant General Brent Scowcroft, USAF (Ret.), Scowcroft Group, and Stephen J. Hadley, United States Institute of Peace, both of Washington, D.C.

LOCAL EFFECTS OF OIL SPILL

Committee on Homeland Security and Governmental Affairs: Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration concluded a hearing to examine assessing the effects of the Deepwater Horizon oil spill on states, localities and the private sector, after receiving testimony from Juliette Kayyem, Assistant Secretary for Intergovernmental Affairs, and Rear Admiral Roy A. Nash, Deputy Director, National Maritime Intelligence Center, United States Coast Guard, both of the Department of Homeland Security; Mark A. Cooper, Louisiana Governor's Office of Homeland Security and Emergency Preparedness, New Orleans; Mayor David Camardelle, Grand Isle, Louisiana; Billy Nungesser, Plaquemines Parish President, Plaquemines Parish, Louisiana; and Ray Dempsey and Darryl Willis, both of BP America, both of Washington, D.C.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Dennis J. Toner, of Delaware, to be a Governor of the United States Postal Service, after the nominee, who was introduced by Senator Kaufman, testified and answered questions in his own behalf.

REVIEW OF SAFETY MANAGEMENT IN OIL AND GAS INDUSTRY

Committee on Health, Education, Labor, and Pensions: Subcommittee on Employment and Workplace Safety concluded a hearing to examine production over protections, focusing on a review of process safety management in the oil and gas industry, after receiving testimony from Jordan Barab, Deputy Assistant Secretary of Labor for Occupational Safety and Health Administration; Kim Nibarger, United Steelworkers (USW), Pittsburgh, Pennsylvania; Randall Sawyer, Contra Costa County Hazardous Materials Programs, Martinez, California; and Charles Drevna, National Petrochemical and Refiners Association, Washington, D.C.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following business items:

S. 2802, to settle land claims within the Fort Hall Reservation, with an amendment;

S. 2906, to amend the Act of August 9, 1955, to modify a provision relating to leases involving certain Indian tribes, with an amendment;

S. 1448, to amend the Act of August 9, 1955, to authorize the Coquille Indian Tribe, the Confederated Tribes of Siletz Indians, the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw, the Klamath Tribes, and the Burns Paiute Tribe to obtain 99-year lease authority for trust land; and

The nominations of Tracie Stevens, of Washington, to be Chairman of the National Indian Gaming Commission, and JoAnn Lynn Balzer, of New Mexico, and Cynthia Chavez Lamar, of New Mexico, both to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 193, to create and extend certain temporary district court judgeships, with an amendment in the nature of a substitute; and

The nominations of Robert Neil Chatigny, of Connecticut, to be United States Circuit Judge for the Second Circuit, Scott M. Matheson, Jr., of Utah, to be United States Circuit Judge for the Tenth Circuit, James Kelleher Bredar, and Ellen Lipton Hollander, both to be a United States District Judge for the District of Maryland, Susan Richard Nelson, to be United States District Judge for the District of Minnesota, and Thomas Edward Delahanty II, to be United States Attorney for the District of Maine, Wendy J. Olson, to be United States Attorney for the District of Idaho, Kevin Charles Harrison, and Donald J. Cazayoux, Jr., both to be United States Marshal for the Middle District of Louisiana, Henry Lee Whitehorn, Sr., to be United States Marshal for the Western District of Louisiana, James A. Lewis, to be United States Attorney for the Central District of Illinois, and Charles Gillen Dunne, to be United States Marshal for the Eastern District of New York, all of the Department of Justice.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 21 public bills, H.R. 5498–5518 and 6 resolutions, H. Con. Res. 285; and H. Res. 1430–1434 were introduced. **Pages H4385–87**

Additional Cosponsors: **Pages H4387–88**

Reports Filed: There were no reports filed today.

Chaplain: The prayer was offered by the Guest Chaplain, Bishop Miles Fowler, Big Miller Grove Missionary Baptist Church, Lithonia, Georgia. **Page H4333**

Suspension: The House agreed to suspend the rules and pass the following measure:

Amending the Oil Pollution Act of 1990 to authorize advances from Oil Spill Liability Trust Fund for the Deepwater Horizon oil spill: S. 3473, to amend the Oil Pollution Act of 1990 to authorize advances from Oil Spill Liability Trust Fund for the Deepwater Horizon oil spill, by a ⅔ yea-and-nay vote of 410 yeas with none voting "nay" and 1 voting "present", Roll No. 354. **Pages H4336–42, H4365–66**

FHA Reform Act of 2010: The House passed H.R. 5072, to improve the financial safety and soundness of the FHA mortgage insurance program, by a recorded vote of 406 ayes to 4 noes, Roll No. 353. Consideration of the measure began on Wednesday, June 9th. **Page H4342**

Agreed to the Lee (NY) motion to recommit the bill to the Committee on Financial Services with instructions to report the same back to the House forthwith with an amendment by voice vote. Subsequently, Representative Frank (MA) reported the bill back to the House with the amendment and the amendment was agreed to. **Pages H4363–65**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule. **Page H4343**

Agreed to:

Cardoza amendment (No. 2 printed in H. Rept. 111–503) that prioritizes foreclosure counseling services to areas of the country that have been the hardest-hit by the housing crisis; **Pages H4346–47**

Cao amendment (No. 3 printed in H. Rept. 111–503) that includes information about credit risk

and financial counseling services to mortgagors in addition to the housing and loan modification information currently included in the bill; **Page H4347**

Bean amendment (No. 4 printed in H. Rept. 111–503) that requires HUD to submit an annual report to Congress discussing proposed or actual increases in the minimum cash investment requirements (downpayment requirements) in the FHA program. It further gives HUD the authority to establish higher minimum cash investment requirements for all or class(es) of borrowers and requires HUD to take into consideration the findings of the annual report; **Pages H4347–49**

Tierney amendment (No. 6 printed in H. Rept. 111–503) that directs the Secretary of the Department of Housing and Urban Development to provide mortgage insurance premium refunds to eligible borrowers of FHA insured loans, which were closed prior to December 8, 2004, but which were not endorsed until December 8, 2004 or after that date, and authorizes such sums as may be necessary for such refunds; **Pages H4351–52**

Weiner amendment (No. 8 printed in H. Rept. 111–503) that increases loan limits for the construction or rehabilitation of multifamily housing with elevators including rentals, cooperatives, condominiums to ensure that they represent today's construction costs. Creates an "extremely high cost area" category for FHA Multifamily Insurance for those areas, similar to those in Alaska, Guam, Hawaii, and the Virgin Islands; **Pages H4353–55**

Clarke amendment (No. 10 printed in H. Rept. 111–503) that directs the GAO to include in its FHA report an analysis on the effectiveness of HUD's loss mitigation home retention options in assisting individuals, particularly low income borrowers, in avoiding home foreclosure for mortgages; **Pages H4356–57**

Nye amendment (No. 11 printed in H. Rept. 111–503) that instructs the Federal Housing Administration to continue the Special Forbearance program, as it relates to Chinese Drywall, until the end of FY 2011; **Page H4357**

Waters amendment (No. 1 printed in H. Rept. 111–503) that provides for various technical corrections, makes modifications to the GAO report in section 15 of the bill, provides that the Secretary may increase loan limits for micropolitan counties surrounded by higher cost areas and experiencing significant growth, and addresses documentation standards for FHA loans (by a recorded vote of 417 ayes to 3 noes, Roll No. 347); **Page H4359**

Edwards (TX) amendment (No. 12 printed in H. Rept. 111–503) that requires individuals to certify that they have not been convicted of a sex offense against a minor in order to get an FHA mortgage (by a recorded vote of 420 ayes to 4 noes, Roll No. 351); and **Pages H4357–58, H4362**

Maffei amendment (No. 13 printed in H. Rept. 111–503) that states that no funds authorized under the act may be used to pay the salary of an employee who has been officially disciplined for viewing, downloading, or exchanging pornography (including child pornography) on a Federal Government computer or while performing official Federal Government duties (by a recorded vote of 416 ayes with none voting "no" and 1 voting "present", Roll No. 352). **Pages H4358, H4362–63**

Rejected:

Garrett (NJ) amendment (No. 5 printed in H. Rept. 111–503) that sought to raise the FHA down payment requirement from 3.5% to 5% and prohibit closing costs from being rolled in as well (by a recorded vote of 131 ayes to 289 noes, Roll No. 348); **Pages H4349–51, H4360**

Price (GA) amendment (No. 7 printed in H. Rept. 111–503) that sought to cap the number of mortgages the FHA can issue to 10% of total loans originated in each year. Within 90 days of enactment, FHA must submit a plan to Congress to roll back FHA market share to 10% of loans originated each year by 2012 (by a recorded vote of 106 ayes to 316 noes, Roll No. 349); and **Pages H4352–53, H4360–61**

Turner amendment (No. 9 printed in H. Rept. 111–503) that sought to repeal the emergency authority that allows the FHA to insure loans up to $720,000 in certain high cost areas. The amendment sought to create a maximum loan limit of $500,000 for a single family unit and a percentage of the same ratio for 2-, 3- or 4-family residences (by a recorded vote of 121 ayes to 301 noes, Roll No. 350). **Pages H4355–56, H4361–62**

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Page H4366**

H. Res. 1424, the rule providing for consideration of the bill, was agreed to on Wednesday, June 9th.

Moment of Silence: The House observed a moment of silence in memory of Arthur A. Link, former Member of Congress. **Pages H4359–60**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and agree to the following measure which was debated on Wednesday, June 9th:

Congratulating Clinton County and the county seat of Wilmington, Ohio, on the occasion of their bicentennial anniversaries: H. Res. 1121, to congratulate Clinton County and the county seat of Wilmington, Ohio, on the occasion of their bicentennial anniversaries. **Page H4366**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, June 14th for morning hour debate.

Page H4370

Reception of Former Members of Congress: Agreed that the House will meet at 9 a.m. on Tuesday, June 15th, for the purpose of receiving in the Chamber former Members of Congress, and that the Speaker may declare a recess subject to the call of the Chair for such purpose. Page H4370

Quorum Calls—Votes: One yea-and-nay vote and seven recorded votes developed during the proceedings of today and appear on pages H4359, H4360, H4361, H4361–62, H4362, H4363, H4365, H4365–66. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 5:46 p.m.

Committee Meetings

COMMUNICATIONS AND VIDEO ACCESSIBILITY

Committee on Energy and Commerce, Subcommittee on Communications, Technology, and the Internet held a hearing on H.R. 3101, Twenty-First Century Communications and Video Accessibility Act of 2009. Testimony was heard from public witnesses.

GULF OIL SPILL—HUMAN EXPOSURE/ ENVIRONMENTAL ISSUES

Committee on Energy and Commerce: Subcommittee on Energy and Environment held a hearing entitled "The BP Oil Spill: Human Exposure and Environmental Fate." Testimony was heard from Gina Solomon, M.D., Science Advisory Board, EPA; and public witnesses.

HUMAN RIGHTS AND DEMOCRACY ASSISTANCE OVERSEAS

Committee on Foreign Affairs: Held a hearing on Human Rights and Democracy Assistance: Increasing the Effectiveness of U.S. Foreign Aid. Testimony was heard from Lorne W. Craner, former Assistant Secretary, Democracy, Human Rights and Labor, Department of State; and public witnesses.

THAILAND RECONCILIATION

Committee on Foreign Affairs: Subcommittee on Asia, the Pacific, and the Global Environment held a hearing on Thailand: The Path Toward Reconciliation. Testimony was heard from Scot Marciel, Deputy Assistant Secretary and Ambassador for ASEAN Affairs, Bureau of East Asian and Pacific Affairs, Department of State; and public witnesses.

PROTECTING OLDER AMERICANS AGAINST DISCRIMINATION ACT

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights, and Civil Liberties held a hearing on H.R. 3721, Protecting Older Workers Against Discrimination Act. Testimony was heard from Jocelyn Samuels, Senior Counsel, Civil Rights Division, Department of Justice; and public witnesses.

OVERSIGHT—DEEPWATER HORIZON OIL SPILL IN GULF OF MEXICO

Committee on Natural Resources: Subcommittee on Insular Affairs, Oceans and Wildlife held an oversight hearing on the Deepwater Horizon oil spill in the Gulf of Mexico, with emphasis on "Our Natural Resources at Risk: The Short and Long Term Impact of the Deepwater Horizon Oil Spill." Testimony was heard from David Westerholm, Director, Office of Response and Restoration, NOAA, Department of Commerce; Jane Lyder, Deputy Assistant Secretary, Fish and Wildlife and Parks, Department of the Interior; Timothy J. Ragen, Executive Director, Marine Mammal Commission; Robert J. Barham, Secretary, Department of Wildlife and Fisheries, State of Louisiana; and public witnesses.

Hearing continues June 15.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Subcommittee on National Parks, Forests and Public Lands held a hearing on the following bills: H.R. 3785, Chattahoochee River National Recreation Area Boundary Study Act of 2009; H.R. 4823, Sedona-Red Rock National Scenic Area Act of 2010; H.R. 5009, Wasatch Wilderness and Watershed Protection Act of 2010; H.R. 5110. Casa Grande Ruins National Monument Boundary Modification Act of 2010; H.R. 5131, Coltsville National Historical Park Act; H.R. 5152, Kennesaw Mountain National Battlefield Park Boundary Adjustment Act of 2010; and H.R. 5194, Mt. Andrea Lawrence Designation Act of 2010. Testimony was heard from Representatives Matheson, Kirkpatrick of Arizona, Gingrey of Georgia; Larson and McKeon; Joel Holtrop, Deputy Chief, National Forest System, U.S. Forest Service, USDA; Stephen Whitesell, Associate Director, Park Planning, Facilities and Public Lands, National Park Service, Department of the Interior; and public witnesses.

IMPROVING TECHNOLOGY TRANSFER

Committee on Science and Technology: Subcommittee on Research and Science Education held a hearing on From the Lab Bench to the Marketplace: Improving Technology Transfer. Testimony was heard from Thomas W. Peterson, Assistant Director, Directorate for Engineering, NSF; and public witnesses.

DEVELOPING SURFACE TRANSPORTATION PROJECTS

Committee on Transportation and Infrastructure: Subcommittee on Highways and Transit held a hearing on Using Practical Design and Context-Sensitive Solutions in Developing Surface Transportation Projects. Testimony was heard from King Gee, Associate Administrator, Infrastructure, Federal Highway Administration, Department of Transportation; Luisa M. Paiewonsky, Administrator, Highway Division, Department of Transportation, State of Massachusetts; and public witnesses.

VETERANS MEASURES

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing on the following bills: H.R. 114, Veterans Entrepreneurial Transition Business Benefit Act; H.R. 3685, To require the Secretary of Veterans Affairs to include on the main page of the Internet Web site of the Department of Veterans Affairs a hyperlink to the Vet Success Internet Web site and to publicize such Internet Web site; H.R. 4319, Specially Adapted Housing Assistance Enhancement Act of 2009; H.R. 4635, Foreclosure Mandatory Mediation Act of 2010; H.R. 4664, To amend the Servicemembers Civil Relief Act to provide for a one-year moratorium on the sale or foreclosure of property owned by surviving spouses of servicemembers killed in Operation Iraqi Freedom or Operation Enduring Freedom; H.R. 4765, To amend title 38, United States Code, to authorize individuals who are pursuing programs of rehabilitation, education, or training under laws administered by the Secretary of Veterans Affairs to receive work-study allowances for certain outreach services provided through congressional offices, and for other purposes; H.R. 5360, Blinded Veterans Adaptive Housing Improvement Act of 2010; and draft legislation. Testimony was heard from Representatives DeFazio, Stearns, Fortenberry and Fudge; Thomas J. Pamperin, Associate Deputy Under Secretary, Policy and Program Management, Veterans Benefits Administration, Department of Veterans Affairs; and representatives of veterans organizations.

LONG-TERM UNEMPLOYMENT

Committee on Ways and Means: Subcommittee on Income Security and Family Support held a hearing on possible policy responses to long-term unemployment. Testimony was heard from public witnesses.

BRIEFING—TRANSPORTATION SECURITY ADMINISTRATION

Permanent Select Committee on Intelligence: Subcommittee on Terrorism, Human Intelligence, Analysis, and Counterintelligence met in executive session to receive a briefing on the Transportation Security Administration. The Subcommittee was briefed by departmental witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, JUNE 11, 2010

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No committee meetings are scheduled.

CONGRESSIONAL PROGRAM AHEAD

Week of June 14 through June 19, 2010

Senate Chamber

On *Monday* at 3 p.m., Senate will resume consideration of the House Message to accompany H.R. 4213, American Jobs and Closing Tax Loopholes Act.

On *Tuesday* at 11:30 a.m., Senate will begin consideration of the nominations of Tanya Walton Pratt, of Indiana, to be United States District Judge for the Southern District of Indiana, Brian Anthony Jackson, of Louisiana, to be United States District Judge for the Middle District of Louisiana, and Elizabeth Erny Foote, of Louisiana, to be United States District Judge for the Western District of Louisiana, and after a period of debate, vote on confirmation thereon.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: June 16, Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2011 for the Department of Defense, 10:30 a.m., SD–192.

June 16, Subcommittee on Financial Services and General Government, to hold an oversight hearing to examine Federal payment of interchange fees, focusing on how to save taxpayer dollars, 2:30 p.m., SD–192.

Committee on Armed Services: June 15, to hold hearings to examine the situation in Afghanistan; with the possibility of a closed session in SVC–217 following the open session, 9:30 a.m., SD–G50.

June 17, Full Committee, to hold hearings to examine the New Strategic Arms Reduction Treaty (START) and the implications for national security programs, 9:30 a.m., SD–106.

Committee on Commerce, Science, and Transportation: June 17, to hold hearings to examine the financial state of the airline industry and the implications of consolidation, 10 a.m., SR–253.

Committee on Energy and Natural Resources: June 15, Subcommittee on Energy, to hold hearings to examine S. 3460, to require the Secretary of Energy to provide funds to States for rebates, loans, and other incentives to eligible individuals or entities for the purchase and installation of solar energy systems for properties located in the United States, S. 3396, to amend the Energy Policy and Conservation Act to establish within the Department of Energy a Supply Star program to identify and promote practices, companies, and products that use highly efficient supply chains in a manner that conserves energy, water, and other resources, S. 3251, to improve energy efficiency and the use of renewable energy by Federal agencies, S. 679, to establish a research, development, demonstration, and commercial application program to promote research of appropriate technologies for heavy duty plug-in hybrid vehicles, S. 3233, to amend the Atomic Energy Act of 1954 to authorize the Secretary of Energy to barter, transfer, or sell surplus uranium from the inventory of the Department of Energy, and S. 2900, to establish a research, development, and technology demonstration program to improve the efficiency of gas turbines used in combined cycle and simple cycle power generation systems, 2:30 p.m., SD–366.

June 16, Subcommittee on Public Lands and Forests, to hold hearings to examine S. 3294, to establish certain wilderness areas in central Idaho and to authorize various land conveyances involving National Forest System land and Bureau of Land Management land in central Idaho, S. 3310, to designate certain wilderness areas in the National Forest System in the State of South Dakota, and S. 3313, to withdraw certain land located in Clark County, Nevada from location, entry, and patent under the mining laws and disposition under all laws pertaining to mineral and geothermal leasing or mineral materials, 2:30 p.m., SD–366.

Committee on Health, Education, Labor, and Pensions: June 15, to hold hearings to examine the health impacts of the Gulf of Mexico oil spill, 2:30 p.m., SD–430.

June 17, Full Committee, to hold hearings to examine protecting workers and businesses affected by misclassification, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: June 15, to hold hearings to examine protecting cyberspace as a national asset, focusing on comprehensive legislation for the 21st century, 2:30 p.m., SD–342.

June 16, Full Committee, to hold hearings to examine the nomination of John S. Pistole, of Virginia, to be Assistant Secretary of Homeland Security, 10 a.m., SD–342.

June 16, Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine the Gulf of Mexico oil spill, focusing on ensuring a financially responsible recovery, 3 p.m., SD–342.

June 17, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine closing the language gap, focusing on improving the Federal government's foreign language capabilities, 3:30 p.m., SD–342.

Committee on Indian Affairs: June 17, to hold an oversight hearing to examine Indian education, focusing on the No Child Left Behind Act, 2:15 p.m., SD–628.

Committee on the Judiciary: June 15, to hold hearings to examine the nomination of James Michael Cole, of the District of Columbia, to be Deputy Attorney General, Department of Justice, 10 a.m., SD–226.

June 17, Full Committee, business meeting to consider H.R. 1933, to direct the Attorney General to make an annual grant to the A Child Is Missing Alert and Recovery Center to assist law enforcement agencies in the rapid recovery of missing children, S. 3466, to require restitution for victims of criminal violations of the Federal Water Pollution Control Act, H.R. 908, to amend the Violent Crime Control and Law Enforcement Act of 1994 to reauthorize the Missing Alzheimer's Disease Patient Alert Program, S. 258, to amend the Controlled Substances Act to provide enhanced penalties for marketing controlled substances to minors, and the nomination of John J. McConnell, Jr., to be United States District Judge for the District of Rhode Island, 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: June 17, to hold hearings to examine harnessing small business innovation, focusing on navigating the evaluation process for Gulf Coast oil cleanup proposals, 10 a.m., SD–G50.

Committee on Veterans' Affairs: June 16, to hold hearings to examine Veterans' Affairs health care in rural areas, 9:30 a.m., SR–418.

Select Committee on Intelligence: June 15, to hold closed hearings to consider certain intelligence matters, 2:30 p.m., SH–219.

June 17, Full Committee, to hold closed hearings to consider certain intelligence matters, 2:30 p.m., SH–219.

Special Committee on Aging: June 16, to hold hearings to examine the retirement challenge, focusing on making savings last a lifetime, 2 p.m., SD–562.

House Committees

Committee on Agriculture, June 17, Subcommittee on General Farm Commodities and Risk Management, hearing to review U.S. farm safety net programs in advance of the 2012 Farm Bill, 10 a.m., 1300 Longworth.

Committee on Armed Services, June 16, hearing on developments in Afghanistan, 1 p.m., 2118 Rayburn.

Committee on the Budget, June 17, hearing on the Administration's Expedited Rescission Proposal, 10 a.m., 210 Cannon.

Committee on Education and Labor, June 17, hearing on the Department of Education Inspector General's Review of Standards for Program Length in Higher Education, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, June 15, Subcommittee on Energy and Environment, hearing entitled "Drilling Down on America's Energy Future: Safety, Security and Clean Energy," 9:30 a.m., 2123 Rayburn.

June 15, Subcommittee on Health, hearing entitled "NIH in the 21st Century: The Director's Perspective," 2 p.m., 2123 Rayburn.

June 16, Subcommittee on Commerce, Trade, and Consumer Protection, hearing on the following bills: H.R. 4678, Foreign Manufacturers Legal Accountability Act; and H.R. 5156, Clean Energy Technology Manufacturing and Export Assistance Act, 10 a.m., 2322 Rayburn.

June 16, Subcommittee on Health, hearing entitled " HHS Actions to Identify and Address Health Effects of the BP Oil Spill," 2 p.m., 2123 Rayburn.

June 17, Subcommittee on Communications, Technology, and the Internet, hearing on a discussion draft to provide funding for the construction and maintenance of a nationwide, interoperable public safety broadband network and on H.R. 4829, Next Generation 9–1–1 Preservation Act of 2010, 10 a.m., 2322 Rayburn.

Committee on Foreign Affairs, June 16, Subcommittee on Western Hemisphere, hearing on Press Freedom in the Americas, 2:45 p.m., 2172 Rayburn.

June 17, Subcommittee on Africa and Global Health, hearing on the Horn of Africa: Current Conditions and U.S. Policy, 10 a.m., 2172 Rayburn.

Committee on Homeland Security, June 16, hearing entitled " Cybersecurity: DHS' Role, Federal Efforts and National Policy," 10 a.m., 311 Cannon.

June 17, Subcommittee on Management, Investigations, and Oversight, and the Subcommittee on Border, Maritime, and Global Counterterrorism, to continue joint hearings entitled " SBInet: Does It Pass the Border Security Test?" 10 a.m., 311 Cannon.

Committee on the Judiciary, June 15, Subcommittee on Commercial and Administrative Law, hearing on H.R. 4175, End Discriminatory State Taxes for Automobile Renters Act of 2009, 11 a.m., 2141 Rayburn.

June 15, Subcommittee on Courts and Competition Policy, hearing on Is There Life After Trinko and Credit Suisse?: The Role of Antitrust in Regulated Industries, 10:15 a.m., 2237 Rayburn.

June 16, full Committee, hearing on Competition in the Airline Industry, 2 p.m., 2141 Rayburn.

June 17, Subcommittee on the Constitution, Civil Rights, and Civil Liberties, hearing on Racial Profiling and the Use of Suspect Classifications in Law Enforcement Policy, 2 p.m., 2141 Rayburn.

June 17, Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law, oversight hearing on the Executive Office for Immigration Review, 10 a.m., 2141 Rayburn.

Committee on Natural Resources, June 15, Subcommittee on Insular Affair, Oceans and Wildlife, to continue oversight hearings on the Deepwater oil spill in the Gulf of Mexico, with emphasis on Ocean Science and Data Limits in a Time of Crisis: Do NOAA and the Fish and Wildlife Service Have the Resources to Respond? 10 a.m., 1324 Longworth.

June 16, full Committee, to mark up the following measures: H. Res. 1406, Directing the Secretary of the Interior to transmit to the House of Representatives certain information relating to the potential designation of National Monuments; H.R. 1554, Fountainhead Property Land Transfer Act; H.R. 4445, Indian Pueblo Cultural Center Clarification Act; H.R. 2340, Salmon Lake Land Selection Resolution Act; H.R. 3914, San Juan Mountains Wilderness Act of 2009; H.R. 3923, Sugar Loaf Fire Protection District Land Exchange Act of 2009; H.R. 3967, To amend the National Great Black Americans Commemoration Act of 2004 to authorize appropriations through fiscal year 2015; H.R. 4514, Colonel Charles Young Home Study Act; H.R. 4686, Rota Cultural and Natural Resources Study Act; H.R. 3989, Heart Mountain Relocation Center Study Act of 2009; H.R. 4773, Fort Pulaski National Monument Lease Authorization Act; H.R. 4973, National Wildlife Refuge Volunteer Improvement Act of 2010; and H.R. 2864, To amend the Hydrographic Services Improvement Act of 1998 to authorize funds to acquire hydrographic data and provide hydrographic services specific to the Arctic for safe navigation, delineating the United States extended continental shelf, and the monitoring and description of coastal changes, 10 a.m., 1324 Longworth.

June 17, Subcommittee on Energy and Mineral Resources, oversight hearing entitled "The Deepwater Horizon Incident: Are the Minerals Management Service Regulations Doing the Job?" 10 a.m., 1324 Longworth.

June 17, Subcommittee on Water and Power, hearing on the following bills: H.R. 4719, To establish a Southwest Border Region Water Task Force; and H.R. 5487, Water Resources Research Amendments Act of 2010, 10 a.m., 1334 Longworth.

Committee on Oversight and Government Reform, June 15, Subcommittee on Federal Workforce, Postal Service and the District of Columbia, hearing entitled "Lead Exposure in D.C.: Prevention, Protection, and Potential Prescriptions," 2 p.m., 2154 Rayburn.

June 17, full Committee, hearing entitled "Viral Hepatitis: The Secret Epidemic," 10 a.m., 2154 Rayburn.

June 17, Subcommittee on Information Policy, Census, and National Archives, hearing entitled "Federal Electronic Records Management: A Status Report," 2 p.m., 2154 Rayburn.

Committee on Rules, June 14, to consider the following bills: H.R. 5297, Small Business Lending Fund Act of 2010; and H.R. 5486, Small Business Jobs Tax Relief Act of 2010, 5 p.m., H–313 Capitol.

Committee on Science and Technology, June 16, Subcommittee on Energy and Environment, hearing on Real-Time Forecasting for Renewable Energy Development, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, June 16, Subcommittee on Aviation, hearing on The Proposed United-Continental Merger: Possible Effects for Consumers and the Industry, 9:30 a.m., 2167 Rayburn.

June 17, Subcommittee on Coast Guard and Maritime Transportation, hearing on Foreign Vessel Operations in the U.S. Exclusive Economic Zone, 2 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, June 15, Subcommittee on Disability Assistance and Memorial Affairs, hearing on the State of the Veterans Benefits Administration, 2 p.m., 340 Cannon.

Committee on Ways and Means, June 15, Subcommittee on Health and the Subcommittee on Oversight, joint

hearing on reducing fraud, waste, and abuse in Medicare, 10 a.m., 1100 Longworth.

June 15, Subcommittee on Select Revenue Measures, hearing on tax simplification proposals impacting regulated investment companies, with emphasis on H.R. 4337, Regulated Investment Company Modernization Act of 2009, 2 p.m., 1100 Longworth.

June 16, full Committee, hearing on China's Trade and Industrial Policies, 10 a.m., 1100 Longworth.

June 17, Subcommittee on Income Security and Family Support, hearing to evaluate the effectiveness of responsible fatherhood programs, 10 a.m., B–318 Rayburn.

Permanent Select Committee on Intelligence, June 15, executive, briefing on National Counterterrorism Center Global, 10:30 a.m., 304–HVC.

June 17, executive, briefing on Compartmented Program, 10 a.m., 304–HVC.

Next Meeting of the SENATE

2 p.m., Monday, June 14

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 3 p.m.), Senate will resume consideration of the House Message to accompany H.R. 4213, American Jobs and Closing Tax Loopholes Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Monday, June 14

House Chamber

Program for Monday: To be announced.

Extensions of Remarks, as inserted in this issue

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Calvert, Ken, Calif., E1069, E1074
Coble, Howard, N.C., E1072, E1082
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Van Hollen, Chris, Md., E1075
Visclosky, Peter J., Ind., E1078
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