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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. PASTOR of Arizona).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 22, 2010.

I hereby appoint the Honorable ED PASTOR to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

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

Lord God, You are the Most High, the Almighty, yet Your love reaches out to us and surrounds each detail of human life.

The Members of Congress seek answers to the deepest questions facing the Nation. Attentive to their districts and the human cries of families they know and individuals lost in the void of unemployment, they hear tangible truth breathing beneath the blanket of pundits and pollsters.

Help them, Lord, to discover ways that will lead Your people from crisis to opportunity. With creative consultation and intellectual depth, Lord, we ask You fix a vision for the future. Let them build upon the known strengths of America.

By appealing to the Nation's innate sense of justice and generous patriotism, may they always seek Your presence and Your activity working within Your people and the country's democratic process both now and forever.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. FLAKE led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

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

S. 1376. An act to restore immunization and sibling age exemptions for children adopted by United States citizens under the Hague Convention on Inter-country Adoption to allow their admission into the United States.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind the House that on July 24, 1998, at 3:40 p.m., Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police were killed in the line of duty defending the Capitol against an intruder armed with a gun.

At an appropriate point today, the Chair will recognize the anniversary of this tragedy by observing a moment of silence in their memory.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

BUYING LOCAL FOOD FOR SCHOOLS

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

Ms. PINGREE of Maine. Mr. Speaker, today I introduced a bill that will make it easier for schools to buy local food. In America, we have slowly moved further and further away from feeding our children healthy, nutritious food in school. At the same time we have watched while thousands of family-run farms have literally disappeared.

In Maine, many of our schools go out of their way to purchase food from local farms. But dwindling school budgets and competing priorities have resulted in less money for local food options in cafeterias.

My bill frees up money for schools to buy locally produced food by giving them the option to spend 10 percent of what they receive for government commodities on food from local farmers. This will not only bring healthy, high-quality food into our schools, it will also pump more money into our local economies.

On average, an apple travels 1,500 miles from farm to school. This bill gives schools the freedom to buy apples from their neighbors and keep every dollar spent in the community instead of traveling across the country and back again.

I look forward to working on this bill with my colleagues, and I thank those who have already supported it.

OIL COMPANIES PLAN TO PROTECT GULF

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

Printed on recycled paper.

Mr. POE of Texas. Mr. Speaker, private industry is creating solutions to protect the Gulf of Mexico because the government really doesn't create anything. Government just stops things from being created like jobs.

ExxonMobil, Chevron, ConocoPhillips, and Shell Oil have announced a new coordinated plan. They're building a new emergency oil spill containment system to protect the Gulf of Mexico. Their deepwater rapid response system will capture and contain oil in a blowout emergency. It will be engineered to be used in underwater depths of up to 10,000 feet and under different weather conditions as well. The initial capacity will contain 100,000 barrels of oil a day.

These oil industry leaders have committed $1 billion to the initial cost. Engineering, procurement, and construction will begin immediately. ExxonMobil has taken the lead on behalf of the other companies. This is great news for drilling in the Gulf of Mexico. American private industry is taking the lead.

The administration needs to end the moratorium on drilling and get out of the way and quit killing jobs in the Gulf of Mexico.

And that's just the way it is.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 4213, UNEMPLOYMENT COMPENSATION EXTENSION ACT OF 2010

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 111–556) on the resolution (H. Res. 1550) providing for consideration of the Senate amendment to the House amendment to the Senate amendment 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 referred to the House Calendar and ordered to be printed.

THE MOTEL KIDS OF ORANGE COUNTY

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

Mr. BLUMENAUER. Mr. Speaker, last night I had an opportunity to preview a documentary entitled ''Homeless, the Motel Kids of Orange County.''

In the shadow of Disneyland, filmmaker Alexandra Pelosi captures the stark reality of children who are living in motels. For all the legitimate policy differences that divide people in Congress, sometimes it's jarring how starkly we view different worlds, that we can believe in different facts. But these children live in a world, the reality of which can be denied only by people who don't bother to see and listen.

I hope my colleagues will watch the HBO documentary Monday, or better yet, get a copy of the DVD to review themselves and with their staff.

We appear at times to be capable of arguing with a straight face about what the day's date is, but this is an area where we should agree to assign priority, spend precious dollars, and refine our policies. These children deserve our best.

□ 1010

FY 2011 APPROPRIATIONS PROCESS

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

Mr. FLAKE. Mr. Speaker, you know, this is a different kind of July than we usually experience here in Congress. Usually we're doing appropriation bills. We aren't doing them this month. We aren't likely to do any until after the election. Isn't that something? The one responsibility we have here in Congress, pass appropriation bills, we aren't doing until after the election. This might give you an idea why we're not doing that.

These are the bills that have gone through the Appropriations Committee, either the subcommittee or the full committee. When you look at the number of earmark dollars that are associated with powerful Members of Congress, either those on the Appropriations Committee or leadership or the chairs of committees, just take, for example, the MilCon-VA bill, 78 percent of the earmarks are going to 13 percent of the Members. Other bills are similar: 76 percent in Agriculture; CJS, 57 percent going to the most powerful Members.

It's often said that we earmark here because we know our districts better than those bureaucrats. Well, apparently, 13 percent of the Members know their districts; the rest of us don't.

That's just one of the problems with the earmarking system we have in Congress. It's a spoils system. Those who are powerful get the spoils.

EXTENDING UNEMPLOYMENT BENEFITS

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

Mr. COSTA. Mr. Speaker, I rise today in support of extending unemployment benefits to the hardworking San Joaquin Valley families of California who continue to search for work during these tough economic times. The current lapse in benefits is unprecedented. Since 1959, the government has never allowed these benefits to expire when the national unemployment rate is above 7.2 percent.

Californians are concerned with providing for their families and putting food on the table, not who scores the most political points in Washington.

Extending unemployment benefits isn't just critical to our Central Valley's workers and communities where unemployment hovers around 20 percent in some of the counties but also to our economy. Every dollar in unemployment benefits creates at least $1.63 in economic activity. That puts money in neighborhood businesses.

Now is the time to focus on middle class families and our economy, not the next election. It's time to pass this measure and to send it to the President for his signature.

YOUCUT AND ASO

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

Mr. BUCHANAN. Mr. Speaker, America is struggling under the weight of its debt and a failing economy. Worse, Washington isn't listening.

One of two new tools that we're trying to put forth, and I think they're great opportunities for the American people, is America Speaking Out. I will be doing a town hall this Saturday in my community in Sarasota to be able to pick up their ideas, identify the challenges, and with the ideas we gather, these ideas across the country, put forth an agenda for the American people this fall.

The other tool that I think is very effective is YouCut. These are two different sites. You go on and make your suggestions heard. Our debt today is at $13.6 trillion. We're expected to go to $20 trillion. We've got to find a way to balance the budget. We would like to get your ideas as it relates to this.

I encourage all Americans to go to these two sites. Anyone that's interested could visit my Web site, buchanan.house.gov. They're available there. We need to start listening to the American people. We need your ideas.

PRESIDENTIAL ACCOMPLISHMENTS

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

Mr. BACA. When President Obama took office, he inherited a $1.2 trillion deficit, two wars, a growing recession, and disasters like Katrina that pushed our economy to the brink. Since then, his leadership has laid the groundwork to rebuild our economy and finally end the outsourcing of American jobs.

The President successfully worked to pass historic health care and financial regulatory reform. No administration has done more to improve care and the benefits for our veterans and returning troops.

President Obama and the Democratic Congress have strengthened the quality of health care for over 5 million American veterans, authorized 3.4 percent pay raises for our troops, invested millions for VA facility improvements, and improved health services for women veterans.

The President and the Democratic Congress will continue to do the right

things for the American people. The choice is clear. We must say ''no'' to the failed policies of the past and ''yes'' to continuing in a new direction looking forward.

MORATORIUM

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

Mr. CASSIDY. Mr. Speaker, a blanket moratorium is not the answer. It will not measurably reduce risk. It will have a lasting impact on the Nation's economy, which may be greater than that of the oil spill. We do not believe in punishing the innocent. Overcome emotion with logic. These are quotes from five engineers from the National Academy of Engineering who object to the President's moratorium.

This is not a drilling moratorium; it is a jobs moratorium. It is an assault on those most injured by the gulf oil spill. By some estimates, over 100,000 Americans—welders, pipe fitters, engineers, caterers, roustabouts—will lose their jobs because of this moratorium, decent, hardworking Americans.

Eleven thousand people yesterday filled the Cajun Dome in Lafayette, Louisiana, to protest the jobs moratorium. They're begging that politics be put aside, the President listen to the scientists, and let the workers return to work supplying our Nation's energy needs.

SOCIAL SECURITY

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

Mr. BUTTERFIELD. Mr. Speaker, in 1935, President Roosevelt and a Democratic Congress envisioned and passed a safety net for senior citizens and the disabled. We call it Social Security. It has worked well, and I cannot imagine what we would be as a Nation without it.

The cash flows of the fund will see a deficit in just a few years because of the aging of the baby boom generation. We will fix this problem, and hopefully, our Republican colleagues will work with us for a bipartisan solution.

In December, I'm confident that the President's fiscal commission will present well-conceived ideas. We must use their recommendations to develop a bipartisan solution to protect Social Security. When those recommendations are presented, bipartisanship must prevail. Partisanship must take a hike.

I am committed to doing my part and look forward to the commission's report.

FINANCIAL REFORM BILL—A STIMULUS FOR MORE GOVERNMENT

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

Mr. STEARNS. Mr. Speaker, when Congress passes a 2,000 plus-page bill, it's not all that surprising to find objectionable items tucked away in the pages. Such is the case with the Dodd-Frank financial reform legislation. This bill creates many new financial regulatory offices for the very same Federal regulators who failed to foresee the financial collapse in 2008.

With this bill, Congress is giving the American people the gift of more bureaucracy with: an Office of Financial Research, a Financial Stability Oversight Council, 20 Offices of Minority and Women Inclusion, a Federal Insurance Office, an Office of Fair Lending and Equal Opportunity, an Office of Investor Advocate and Ombudsman, and a Consumer Financial Protection Bureau. It goes on and on with new czars.

Note that the problems with Fannie Mae and Freddie Mac are not even addressed. Yet these agencies were the cause of this economic crisis. So this bill is nothing more than a stimulus for more government.

SMALL MANUFACTURERS EXPORT INITIATIVE

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

Mr. LARSEN of Washington. Mr. Speaker, today I not only stand in support of extending unemployment benefits to over 18,000 Washington State residents; I stand today in support of small manufacturers in my State of Washington.

Earlier this week, I introduced H.R. 5797, the Small Manufacturers Export Initiative. This legislation will help small- and medium-sized manufacturers export their products, not their jobs, overseas. I want to see the label ''Made in America'' again, and this bill is an important step in that direction.

The global market presents a fast and ever-growing market for U.S. exports. Nationwide, nearly 3.7 million manufacturing jobs are supported by exports. In my district alone, there are 182 aerospace production suppliers and other vendors. In Washington State, there are over 100 boat manufacturers, with many of these small businesses not only supplying the domestic market but also exporting their products.

We must do all we can to support these manufacturing companies to sell their products both here in the U.S. and overseas. The Small Manufacturers Export Initiative will build the infrastructure necessary to connect these small- and medium-sized manufacturers with export opportunities around the world and help them increase their productivity and expand their businesses.

I urge support for this legislation.

□ 1020

CANCEROUS DEBT

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

Ms. FOXX. Mr. Speaker, the President's own Democrat co-chair of the debt commission, Erskine Bowles, said ''This debt is like a cancer.'' And he's right.

This debt cancer is spreading rapidly. Democrat spending is out of control and adding to the already staggering deficit. House Democrats canceled the 2011 budget and failed to propose and pass an annual budget resolution for the first time since 1974.

More and more tax dollars are being wasted. Job creation in the private sector remains at a virtual standstill. A trillion dollars was spent on the President's stimulus, and there are still more than 14 million people out of work.

This cancerous debt, a symptom of the failed stimulus and increasing government control, needs to be stopped immediately. Washington needs to start letting taxpayers spend their own money and start putting Americans back to work.

SOCIAL SECURITY

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

Mr. McDERMOTT. Mr. Speaker, 75 years ago this country recognized the plight of senior citizens who had no retirement, who were forced to move in with their kids when they got old; and we created Social Security. And it has been a tremendous success. Many people, however, don't realize what else Social Security does for this country.

About 8.5 million Americans who have a disability that limits their ability to work receive assistance from the program. Roughly 6.5 million children receive part of their family income through a program which has lifted nearly 2 million of them out of poverty.

When their breadwinner, when their father or their mother, dies, Social Security gives them a benefit. Some of them have used it to go to college. And through the Social Security program, another 7.5 million people, very low income and severely disabled people, receive critical financial support to meet their most basic needs.

I urge all my colleagues to review the entire record and support fixing Social Security next session.

COMMEMORATING 58TH ANNIVERSARY OF PUERTO RICO CONSTITUTION

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

Mr. PIERLUISI. Mr. Speaker, 58 years ago this Sunday, the Constitution of Puerto Rico took effect. As we

mark this occasion, it is appropriate to reflect on the progress that Puerto Rico has made in fulfilling the aspirations expressed in our Constitution and to acknowledge the distance we have left to travel.

Our Constitution reflects the values and dreams of our people. Its words reinforce our commitment to democracy and equality and confirm that we treasure both our Puerto Rican roots and our American citizenship.

Over time, the bonds between Puerto Rico and the United States have grown stronger. Like so many American stories, this is the chronicle of progress, evolution, and the steady march towards a more perfect Union.

But the aspirations of our Constitution have yet to be realized. There will be no democracy for Puerto Rico until its people have a real voice in making the national laws that govern their lives, and there will be no equality so long as they can be treated differently than their fellow citizens simply because they live in a territory.

Today I renew my pledge to fight so that one day democracy and equality will prevail in Puerto Rico.

SOCIAL SECURITY

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

Ms. WATSON. Mr. Speaker, on its 75th anniversary, August 14, Social Security is once again under assault by congressional Republicans. Social Security has been, for 75 years, a bedrock promise. You earned it with a lifetime of hard work, and it should be there for you for future generations.

If Republicans had succeeded, seniors would have lost trillions more in the stock market meltdown of the Bush recession. But, instead, no one lost a penny in Social Security.

Social Security is not the cause of our budget deficits, and benefit cuts should not be the solution.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 4213, UNEMPLOYMENT COMPENSATION EXTENSION ACT OF 2010

Mr. HASTINGS of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1550 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1550

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes, with the Senate amendment to the House amendment to the Senate amendment thereto, and to consider in the House, without intervention of any point of order except those arising under clause 10 of rule XXI, a motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendment to the House amendment to the Senate amendment. The Senate amendment shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to final adoption without intervening motion.

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

Mr. HASTINGS of Florida. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the distinguished gentlewoman from North Carolina, Dr. FOXX. All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. HASTINGS of Florida. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1550.

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

This resolution provides for consideration of the Senate amendment to the House amendment to the Senate amendment to H.R. 4213, the Unemployment Compensation Extension Act of 2010, finally.

The rule makes in order a motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendment to the House amendment to the Senate amendment to H.R. 4213. The rule provides 1 hour of debate on the motion equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

The rule waives all points of order against consideration of the motion except those arising under clause 10 of rule XXI. Finally, the rule provides that the Senate amendment shall be considered as read.

Mr. Speaker, H.R. 4213, the Restoration of Emergency Unemployment Compensation Act of 2010, ensures that much-needed Federal assistance continues to reach the millions of Americans struggling to find a job, trying to keep their homes and doing the best they can to provide for their families.

This legislation is long overdue with unemployment benefits having expired on June 1 of this year. Though I am pleased that this legislation is retroactive to that date, millions of Americans who desperately needed our support were left hanging by the egregious obstructionism that prevented this legislation from moving forward.

While the other party is content with giving themselves a pat on the back for every roadblock they throw in front of the Democratic bill, I remind my colleagues that they are playing with the livelihoods of countless, hardworking Americans. What is merely a political win for them is, in reality, another family that can't make rent, can't send their kids to college, or can't pay their medical bills.

As we are well aware, much of the debate surrounding this bill has centered on its cost. Now, we, in the Democratic Party, believe that balancing the budget is vital for our long-term prosperity, but it cannot be done on the backs of struggling Americans.

Over the past few weeks, my Republican colleagues have railed on about Democrats not cutting the deficit or spending beyond our means. But I wonder if my Republicans colleagues have looked in the mirror lately.

I have been here for some time; and I can't, for the life of me, remember any calls for fiscal discipline when their party was cutting taxes for millionaires and billionaires, sending a blank check overseas, or squandering $127 billion Federal budget surplus.

Time and again, my colleagues' actions simply do not match their rhetoric. Further cutting the budget and denying unemployment benefits aren't going to make jobs magically appear.

□ 1030

Such actions will only cause our economy to contract and leave more people out in the cold. Our economy needs a deliberate, targeted approach to job creation and economic growth, and that is what Democrats will provide.

To say, as my colleagues often do, that Democrats are moving in the wrong direction and doing nothing to create jobs is simply a bold-faced lie. Over the last 1½ years we've gone from a period of negative growth to consistent increases in our GDP. We've gone from 22 months of job loss to 6 straight months of private-sector job creation, albeit not nearly enough. We've gone from shuttered factories to the largest 12-month gain in industrial production since 1998. Make no mistake, job creation is the number one priority for Democrats, but as the job market recovers, there remain far too many who are out of work and losing hope.

While my Republican colleagues question the need to lend a hand to those who are struggling, I question their aversion to provide opportunity to those who have none. Maybe there are no poor people in some of my colleagues' districts, but in the district that I am privileged to represent, people are hurting. From Pahokee to Pembroke Pines, people simply cannot find work. They are pounding the pavement, willing to take anything that comes their way, and in the meantime they need our help.

You see, Mr. Speaker, what Republicans seem to consider reckless spending, the people in the district that I serve consider a vital lifeline. There are 170,000 Floridians that are unemployed at this time. What Republicans

call government waste, the American people call an essential government service. And what Republicans see as a bloated budget, our citizens see as the only thing that is keeping them from financial ruin.

The other party can continue to play political theater, but we have serious work to do. The American people cannot afford to wait a second longer. They need this extension. They deserve this extension. And we will not let Republican obstructionism prevent them from getting this extension.

And, Mr. Speaker, I will make a prediction for you. After all of the talk for all of these months, all of the obstruction to us having unemployment compensation extended that had been routinely extended since 1959 without the kind of obstruction that it met, particularly in the other body, I predict for you that a significant number of our Republican colleagues today are going to vote for unemployment compensation. And in that regard, I'm glad they came to the dance, albeit a little late.

I reserve the balance of my time.

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

I thank my colleague, the gentleman from Florida, for yielding time.

Mr. Speaker, today I rise in opposition to this closed rule providing for consideration of H.R. 4213, a bill extending unemployment insurance. Republicans know that we must reduce the deficit, and if the underlying bill had been paid for, Republicans would have gladly supported it, but it is not.

Undoubtedly, the American people are suffering from the actions of this Democrat-controlled Congress. We go home every weekend and our constituents tell us that their concerns are both jobs and the debt. In fact, they tell us every weekend they are frightened to death for the future of this country. I've never had constituents tell me that before this year.

The simple truth is that while the liberals have repeatedly claimed their $1 trillion 2009 stimulus plan was the right thing to do, it's hard to tell that from looking at the job situation across the U.S. The American people are facing high unemployment rates and economic uncertainty. In fact, we have a quote from our distinguished Chair of the Federal Reserve, ''Economic future unusually uncertain'' is the headline in The Washington Times today. But we need to go back to the drawing board and come back to the American people with real, commonsense solutions to their real problems that we must be willing to pay for.

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

Mr. HASTINGS of Florida. Mr. Speaker, at this time I am very pleased to yield 2 minutes to a former member of the Rules Committee, a good friend of mine, the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman from Florida.

The question of unemployment benefits being conflated with the debt that was caused by tax cuts that we couldn't afford—$2.3 trillion—by a war that was on the credit card, President Bush's war in Iraq that cost over $1 trillion and rising, a Medicare part D program unfunded, put on the credit card, that drove this economy into a ditch. If there's going to be honest discussion about what caused this debt, then we've got to go back in history—and not distant history—to acknowledge that it was the reckless spending policies of the Republican administration and George Bush that contributed more to this debt than any other administration in the history of this entire country.

George Bush, in 8 years, accumulated more debt by more reckless decisions than all of the Presidents who preceded him. All of those decisions, incidentally, were discretionary decisions: A war of choice—wrong war, wrong time—put on the credit card of the American taxpayers; tax cuts that did not stimulate the economy but burdened us with generations of debt; a Medicare prescription drug program where the choice was not only to put it on the credit card but to make it embedded in law the unwillingness of the Federal Government to negotiate bulk price discounts with the drug companies. It guaranteed high prices at the expense of the taxpayers and our consumers. That is the legacy of debt that brought us to this situation.

Then, there is some joint responsibility. This economic collapse we had as a result of the implosion of Wall Street that happened basically 2 years ago today, there were many reasons for that, but it was excess debt, reckless speculation on the part of the folks on Wall Street, and it led to this economic crisis that we have right now.

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

Mr. HASTINGS of Florida. I yield the gentleman an additional 30 seconds.

Mr. WELCH. Mr. Speaker, when it comes to providing unemployment benefits for people who had no responsibility for getting us here, when it comes to the question of who is going to pay the price, should it be the victims of these reckless decisions, the squandering of choices that we had to make the right decision at the right time to build jobs? Should the people who are the victims of reckless policies in Washington—and in many cases by the Republican administration, in some cases because of joint lax regulation by both administrations, Democratic and Republican—are we going to impose the burden of those bad choices on the people who had no responsibility and are the victims? That would be wrong.

Ms. FOXX. Mr. Speaker, I now would like to yield 6 minutes to the distinguished gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank the gentlelady for yielding.

I would say in response that, yes, George W. Bush was responsible for what was then the worst debt in the Nation. That was a terrible public policy, and I make no apologies for it. But it needs to be pointed out that this administration and this Congress in just 2 years have run up as much debt as the irresponsible Bush administration did in all 8 years combined. Yes, that was irresponsible fiscal policy. Why in the world would you want to exacerbate and continue that bad policy? Republicans have learned their lesson. It appears that lesson has not yet been learned on the other side of the aisle.

Mr. Speaker, anyone who has experienced firsthand the quiet panic that stalks every waking hour of an unemployed family knows how frightening and debilitating is chronic unemployment. You watch your savings evaporate, you watch your children going without the material things that their friends enjoy, and you count down the months or even days until you won't be able to make that crucial rent or house payment.

□ 1040

That unemployment check is a lifeline in such times, and I fully appreciate and understand how desperately an unemployed family is looking to the security of getting 99 weeks of such checks, but I can't go along with this for a simple reason: The only way out of this nightmare of unemployment for these families is a job.

Speaker PELOSI and others have said the most important thing we can do to create jobs is to extend unemployment benefits to 99 weeks because the unemployed would spend this money and stimulate the economy. Well, this analysis completely ignores the harsh and glaring fact that, before this money can be put back into the economy, it must first be taken out of the very same economy.

We will have to take $34 billion more out of the economy in order to finance these extra benefits through November. In fact, this is the eighth such extension, totaling $120 billion. That means over $1,600 from the pocket of an average family of four in America. Since we don't have that money, we will have to borrow it from exactly the same capital pool that would otherwise have been available to loan to businesses seeking to expand jobs or to home buyers seeking to reenter the housing market or to consumers seeking to make consumer purchases.

Remember, two-thirds of economic growth depend upon consumer spending, but that money now won't be there to loan for jobs and homes and economic growth. This is $34 billion of relief to the unemployed that they desperately need and that I desperately wish we could responsibly extend, but to do so would also mean $34 billion of fewer jobs. It would mean perpetuating this never-ending nightmare of unemployment for these families and, indeed, throwing more families into that nightmare.

We have been told for several years now by Presidents Bush and Obama that stimulus spending would help the economy, but it hasn't, and there is a reason it hasn't. Government cannot inject a single dollar into the economy that it has not first taken out of that very same economy. Government cannot provide a dollar of temporary relief to the unemployed without first removing a dollar of permanent relief for the unemployed—namely, a job.

The talking point du jour from the other side is, well, the Republicans have no problems giving tax breaks to the wealthy but won't extend a lifeline to the unemployed. Well, once again, they just don't get it.

Milton Friedman once observed that spending is the effective rate of taxation. Spending can only be paid for in two ways—either by current taxes or by future taxes to retire borrowing. High taxes and deficits are just the symptom. The problem is the spending, and this is a spending bill.

On May 9 of 1939, after nearly a decade of unemployment checks and stimulus spending and with unemployment at 17.2 percent, Franklin Roosevelt's Secretary of the Treasury, Henry Morgenthau, made this stunning admission during a meeting with Democratic members of the House Ways and Means Committee:

He said, No, gentlemen. We have tried spending money. We are spending more than we have ever spent before, and it does not work. I have just one interest, and if I am wrong, as far as I am concerned, somebody else can have my job. I want to see this country prosperous. I want to see people get a job. I want to see people get enough to eat. We have never made good on our promises. I say, after 8 years of this administration, we have just as much unemployment as when we started and an enormous debt to boot.

Mr. Speaker, let us heed the lessons of history before we totally destroy our economy. Perpetual unemployment checks put these desperate families farther and farther away from the only thing that can truly end their suffering—a real job. That is a fact nobody around here wants to face, but until we do, chronic unemployment will continue to stalk the land, and God forbid, a few years from now, another Democratic Treasury Secretary will have to make the same admission as Henry Morgenthau did 71 years ago.

Mr. HASTINGS of Florida. Mr. Speaker, I can't believe what I just heard.

I heard what Franklin Roosevelt said. I've read what Franklin Roosevelt said. I was alive during that period of time, and I saw what happened during Franklin Roosevelt's administration. My parents, among many others, got jobs during that period of time, and they came out of the Depression, and this country soared as a result of the policies of the Roosevelt administration. We will be very wise in this country if we could possibly implement the wonderful things that he did.

I yield, Mr. Speaker, 3 minutes to my good friend, the distinguished gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, the gentleman from California just said that, by extending and perpetuating unemployment benefits to families, it will somehow destroy the economic future of these families. Everyone is entitled to their own opinions, Mr. Speaker.

I think the reality is, if you take away people's ability to pay their rent or their utility bills or their credit card bills, you absolutely destroy them. The issue before the House today is whether or not 2.5 million Americans, whose unemployment benefits have expired or are about to expire, should get extensions. I emphatically believe that they should.

Now, the argument that we have heard from the other side—first, about not even taking a vote on this issue and now against extending those benefits—is twofold.

The first, which we just heard a version of, is that to extend their unemployment benefits somehow zaps the incentive for people to look for jobs. I would challenge anybody who makes that assertion to go meet 10 or 100 or 500 unemployed people and ask them just how many want ads they have circled, just how many resumes they have sent out, and just how hard they have looked for jobs, and I think that will put that argument to rest.

The second argument is a good faith argument that people do not want to add to the national debt. First of all, this is a selective argument. Nearly two-thirds of the national debt was accumulated during the administrations of Presidents Reagan, George H. W. Bush, and George W. Bush.

Most recently, when the past administration added to the national debt by prosecuting an endless occupation of Iraq with borrowed money, virtually no one on the other side raised this issue. Most recently, when the prior administration dramatically reduced the taxes of the top 5 percent of the people in this country by borrowing the money, virtually no one on the other side raised this issue.

Today, Members on the other side, both in the other body and here, have taken the position that, while extending benefits to janitors and bus drivers and salespeople who have lost their jobs is somehow fiscally irresponsible if you don't offset it, extending tax breaks to the top 5 percent of the people in the country on a permanent basis is completely responsible.

So, in other words, the person who was laid off from her job of cleaning an office building can't get unemployment benefits unless there is a spending cut or a tax increase to pay for it, but the person who owns the office building, who could get a $500,000 tax cut, could get that with borrowed money. This makes no sense.

What does make sense is a ''yes'' vote on today's bill.

Ms. FOXX. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Nevada (Mr. HELLER).

Mr. HELLER. I appreciate the gentlewoman's extending some time.

Mr. Speaker, it is an honor to be here in front of you and to spend some time talking about these unemployment benefits that we have in front of us today.

We had some, of course, unfortunate information come out of the administration as to the unemployment numbers for the last month. They actually went up in the State of Nevada. Right now, the unemployment rate in the State of Nevada is at 14.2 percent. In the city of Las Vegas, that unemployment number is at 14.5 percent. That is the worst unemployment of any place across this Nation, so it is very disheartening. The question, I guess, that I have, Mr. Speaker, is:

Who do we hold responsible? Who do we hold responsible for the failed economic policies of this Congress and this administration?

I want to make it clear that I do not believe that the unemployed are the ones who should be held accountable for these failures. Despite the promises from this administration that a stimulus bill would cap unemployment at 8 percent, we are seeing across this Nation numbers much higher than that. We continue to see Nevada grow from 10 percent, 11 percent, 12 percent, and now to 14.2 percent. It was supposed to be an immediate jolt. Clearly, it didn't happen. The truth is the stimulus has failed the American people and the people of the great State of Nevada.

I want to read a letter that I received recently from one of my constituents, Heidi, from the city of Sparks, Nevada.

She writes, ''I need you to really try and understand just how difficult things are for some, if not most of us, still unemployed here in the lovely State of Nevada.

□ 1050

''I have been unemployed for just about 6 months now. My husband was laid off back in November, recently took a job for a considerably less amount just to get a job. I have been on several interviews, filled out countless applications, and sent my resume to countless companies.''

Heidi worked for the same company for 6 years, her husband, laid off after working 13 years.

It just goes to expand the failed policies that we're seeing here in this Congress, coming out of this Congress and coming out of the administration.

Mr. HASTINGS of Florida. Will the gentleman yield? I will yield the gentleman 15 seconds of my time if he would answer a question.

Mr. HELLER. I will be more than happy to.

Mr. HASTINGS of Florida. What do you think would have happened had the stimulus bill not passed?

Mr. HELLER. In other words, you're asking me what would have happened if we took all this money out of the private sector and put it in the public sector? Is that the question you're asking me?

Mr. HASTINGS of Florida. What would have happened to those teachers, what would have happened to those police officers who kept their jobs?

The SPEAKER pro tempore. The gentleman's 15 seconds has expired.

Mr. HELLER. Mr. Speaker, I believe we need private sector money given to private sector government given to private people, not more public jobs. And that's what the other side continues to argue.

But I will tell you that Members on both sides, both sides of the aisle are trying to help the unemployed. But what the argument here is, do we continue to add $34 billion to the $13 trillion in debt that we now have here in this country. And that's the argument.

And if you want to ask another question, how do you plan on paying for it, there was a rule. There was an opportunity for the Rules Committee to pay for this.

How often is the left and how often is the majority party saying that the unemployment is a stimulus to this economy? That's great. And if you want to go down that road, what I would argue is then take the stimulus dollars that are unused and use it to pay for these unemployment benefits. You can do it. You can do it. It's not that you can't do it; it's that you won't do it. And that makes no sense.

I had that substitute amendment in the Rules Committee. Of course it failed. I think it's unfortunate. What we're doing here today is that we're going to pass this bill. I'm going to vote against the rule. I will vote for the bill, but I'm voting against the rule.

And the problem with this is we're going to pass this bill and what we're going to do is we're going to go on a 6-week vacation. That's what we're doing here. We're going to go on a 6-week vacation. And what we're going to say is that, hey, we're going to extend these unemployment benefits, but we're going to get full pay for 6 weeks while we're on vacation. Why don't we stay here, Mr. Speaker?

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

Ms. FOXX. I yield the gentleman an additional 30 seconds.

Mr. HELLER. I want to stay here over the 6-week period, put some economic, bipartisan economic policies together so the people like Heidi from the city of Sparks, Nevada, can get a job. I think that's what we ought to be doing here in Washington, D.C. instead of casting a vote, ducking and hiding, running out for a 6-week vacation.

I ask a question: Who's to be held responsible for the failed economic policies of this Congress and this administration? And I don't believe it should be the unemployed.

Mr. HASTINGS of Florida. Mr. Speaker, it doesn't take a degree in trigonometry to understand that if you spend $34 billion helping unemployed people who should have been helped in the first place much longer ago, and according to the Congressional Budget Office, a very neutral concern that analyzes these matters, for every dollar spent, $1.90 comes back into the economy. That would, by my count, add up to spending $34 billion and having come into the economy $64.6 billion.

Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON LEE), my good friend.

Ms. JACKSON LEE of Texas. Mr. Speaker, it is simply the morally right thing to do. And as I listen to the bantering and the chattering and the constant obstructionist policies of my friends, Republicans in this body and the other body, I'm amazed that there is no moral compass to say that millions of Americans, those who have worked, are simply asking that they be able to survive.

This is not a handout. This is a trust, a contract, that when you work you invest in unemployment insurance to a certain extent, first given by the States, and now, because the States have run out of money, our federal government, their government is extending those dollars. And we know that it's the right thing to do because those people on the other side of the aisle have allowed this obstructionism to go forward, but they couldn't fight it anymore.

They couldn't fight 62 percent of the American public who said this is the right thing to do. They couldn't fight the Congressional Budget Office who said this is the most cost-effective and fast-acting infusion of dollars to help people pay their mortgage and food and car payments and to stay off the streets, and to improve the economy.

And further, Mr. Speaker, Chairman Bernanke said, It's no time for the deficit hawks to raise their heads. Continuing to stimulate the economy is the right approach.

What we, as Democrats, are doing, infusing dollars into the economy, is the best approach to get the economy to grow. Corporate revenues grew in the last quarter, but corporations are hoarding their money, for now. I believe we will see more job creation soon.

We are creating jobs and therefore we must continue to stimulate this economy by these unemployed individuals having resources to buy into the economy and to make a difference.

I thank the gentleman very much for yielding and allowing me to say that all of the economists point to the fact that we're doing the right thing. I ask the Republicans to join us today and stand as Americans and do what is right for America.

Mr. Speaker, I rise in support of H.R. 4213, "The American Jobs and Closing Tax Loopholes Act of 2010". I am primarily concerned with the unemployment provision in this piece of legislation. If passed, this bill will restore unemployment aid to 2.5 million Americans who have lost their benefits and are still seeking work in this emerging economy. It will give hope to the long-term unemployed and allow them a chance to survive by extending their benefits to November 30th, 2010.

Mr. Speaker, if there is a single federal program that is absolutely critical to people in communities all across this nation at this time, it would be unemployment compensation benefits. Unemployed Americans must have a means to subsist, while continuing to look for work that in many parts of the country is just not there. Families have to feed children. Unemployed workers, many of whom rely on public transportation, need to be able to get to potential employers' places of work. Utility payments must be paid. Most people use their unemployment benefits to pay for the basics. No one is getting rich from unemployment benefits, because the weekly benefit checks are solely providing for basic food, medicine, gasoline and other necessary things many individuals with no other means of income are not able to afford.

Personal and family savings have been exhausted and 401(Ks) have been tapped, leaving many individuals and families desperate for some type of assistance until the economy improves and additional jobs are created. The extension of unemployment benefits for the long-term unemployed is an emergency. You do not play with people's lives when there is an emergency. We are in a crisis. Just ask someone who has been unemployed and looking for work, and they will tell you the same.

With a national unemployment rate of 9.5 percent, preventing and prolonging people from receiving unemployment benefits is a national tragedy. In the city of Houston, the unemployment rate stands at 8.3 percent as almost 250,000 individuals remain unemployed. Indeed, I can not tell you how difficult it has been to explain to my constituents who are unemployed that there will be no further extension of unemployment benefits until the Congress acts. Whether the justification for inaction is the size of the debt or the need for deficit reduction, it is clear that it is more prudent to act immediately to give individuals and families looking for work a means to survive.

H.R. 4213 is just the right measure at the right time. The legislation will send a message to the nation's unemployed, that this Congress is dedicated to helping those trying to help themselves. Until the economy begins to create more jobs at a much faster pace, and the various stimulus programs continue to accelerate project activity in local communities, we cannot sit idly and ignore the unemployed. As such, I urge my colleagues to support H.R. 4213.

Ms. FOXX. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the distinguished ranking member of the Rules Committee.

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

Mr. DREIER. Mr. Speaker, let me begin by expressing my appreciation to my very good friend from Grandfather Community North Carolina for her thoughtful approach in dealing with what is obviously an extraordinarily difficult issue.

Night before last I had one of the telephone town hall meetings that many of our colleagues have regularly now, and there was an unemployed truck driver who was on the line saying that he had, for 1 year, been looking for a job. I said, are you going out every day? And he said, well, actually I'm going out every other day because I've got responsibilities taking care of my family. But he said that he is out working very hard to find a job. And he said we need to do what we can to ensure that those of us who are hurting do have access to those benefits.

Then he went on to say, after I had talked about the desire for us to, with our $1 trillion-plus budget, we have a budget well in excess of $1 trillion, that we might be able to find $34 billion to pay for this.

He said, that makes so much sense. He said, please try to do that. And when you do it, then we'll be able to have the unemployment benefits that we need right now just to survive.

Now, Mr. Speaker, the notion of pay-as-you-go was not a Republican initiative. It was an initiative led by Democrats; and, in fact, as we saw the Democrats emerge to majority, pay-as-you-go has been the Holy Grail. In fact, we've heard constantly that pay-as-you-go would be utilized to deal with spending legislation, meaning we would offset it by bringing about spending cuts in other areas.

□ 1100

Mr. Speaker, it seems to me that my friend Mr. HELLER was absolutely right when he came before the Rules Committee this morning and made his case that he proposed an offset so that this truck driver in southern California with whom I spoke 2 nights ago would be able to get his benefits, and we would also be able to do what this unemployed truck driver wants, and that is for us to do what he said was a commonsense approach, to pay for it. I think Mr. HELLER really hit the nail right on the head when he said you can do it; it's just that you won't do it.

I have to say, and I said this when I stood here yesterday, Mr. Speaker, I like to be a positive, Ronald Reagan optimist. But when we know that the majority can in fact pay for this and they know that we are desperately concerned about the fact that an attempt is being made, as Mr. MCCLINTOCK pointed out in his thoughtful remarks, that we're exacerbating the spending problem, which did go on under the Bush administration, but has gotten substantially worse in the last 18 months—in fact, we all know we've seen an 84 percent increase in nondefense discretionary spending. And so we've said, okay, we'll go along, and we want to see if we can find in this $1 trillion-plus budget $34 billion to offset so that we can pay for these benefits.

The other side of the aisle has chosen not to do it, I think in large part to put some of us in a position of saying, well, if you're not going to do this, if you're just going to blindly continue with $34 billion in additional spending, we're not going to go for it. And what is it they want to do, Mr. Speaker? They of course want to paint us as being on the other side of those who are trying to make ends meet.

Again, we've seen constantly this class warfare argument. And to me it's a failed argument. I like to quote the late Senator Paul Tsongas. We are very pleased to have his widow serve here as our colleague from Massachusetts. Senator Tsongas had this very clear approach when he was running for President in 1992. He said, ''The problem with my Democratic Party is that they love employees, but they hate employers.''

And, Mr. Speaker, as you look at that argument, this perpetuation of class warfare, tax cuts for the rich, throwing people who are on unemployment out into the streets without having any concern for them whatsoever, that argument really falls very flat because I believe that the American people understand that we truly do care. We do want to create opportunity for everyone. And those who are desperately in need should in fact have their needs met. And we want to do what we can.

Now, I will say that this measure extends for people going onto unemployment, unemployment benefits for 99 weeks. Ninety-nine weeks. Now, that's almost 2 years. Now, I hope very much, as Mr. HELLER said, that we can put into place a bipartisan approach, a bipartisan approach to deal with economic policy that can get this economy growing.

We know that we were promised an unemployment rate that would not exceed 8 percent if we passed the $1 trillion stimulus bill. And in part of the area that I represent in southern California, the unemployment rate is 14.4 percent. Statewide for us in California, just announced this week, it's 12.3 percent. Nationally, it's 9.5 percent. Well, it's well in excess of what we were promised.

So why don't we try to do what has succeeded in the past, using again the model of John F. Kennedy and the model of Ronald Reagan. When John F. Kennedy's economic growth plan was put into place in 1961, marginal rate reduction, growth-oriented, growth-oriented tax cuts. I was just talking to my friend Mr. WELCH, the gentleman from Vermont. And it's true every tax cut does not generate economic growth. But if we had growth-oriented tax cuts, we could do, I would hope, what John F. Kennedy was able to do in the 1960s. He saw a 60 percent increase in the flow of revenues to the Federal Treasury. Economic growth generated more revenues.

We know that we need to increase revenues. We desperately need to increase revenues to deal with the spending that has taken place, and to try and pay down this $13 trillion debt. In the 1980s the increased flow of revenues to the Treasury was 90 percent when the Ronald Reagan tax plan was put into place. It's a bipartisan approach, exactly what Mr. HELLER said.

Mr. Speaker, let's use that as our model, which will be substantially better than what is being put before us today.

Mr. HASTINGS of Florida. Mr. Speaker, would you be so kind as to tell me the remaining time for both sides?

The SPEAKER pro tempore. The gentleman from Florida has 14 minutes remaining. The gentlewoman from North Carolina has 10½ minutes remaining.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman, my good friend and colleague on the Rules Committee, Mr. MCGOVERN.

Mr. MCGOVERN. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of this rule and the underlying bill. Mr. Speaker, all I can say is it's about time. And to my friends on the other side of the aisle, let me say it's a shame that it has taken this long. For 7 weeks, millions of Americans who have lost their jobs through no fault of their own have worried about how they are going to pay for their groceries, pay for their rent, pay for their mortgage, or pay for their children's college tuitions. They have sat around their kitchen tables and made tough decisions about their family budgets. And through this all they have continued to apply for job after job after job.

That's what unemployed Americans have been doing during these last 7 weeks. But what have the Senate Republicans done to help them, to restore benefits to Americans who have earned them through a lifetime of work? They've done nothing. My friends on the other side of the aisle talked about the need to extend the Bush tax cuts for their wealthy friends, which they don't want to pay for.

I mean here's the deal: they don't worry about the deficit when it comes to tax cuts for millionaires, but when it comes to working people who are confronting difficult times, who are faced with an emergency, all of a sudden they got religion when it comes to the deficit. They made a lot of noise about characterizing unemployment benefits as a government handout or somehow encouraging lazy behavior. But I would challenge any of my Republican colleagues to say those things face-to-face to someone who has been out of work for a year, who has applied for job after job after job after job without getting a response.

Mr. Speaker, the facts don't lie. According to the nonpartisan Congressional Budget Office, extending unemployment benefits is the most efficient way for the government to generate economic growth. Each $1 spent on unemployment benefits creates up to $1.90 in economic output. Extending these benefits also creates jobs and decreases the chances that we slip into a double-dip recession.

In every other economic crisis in American history, Democrats and Republicans have put aside their partisan differences and provided emergency unemployment benefits to those Americans who have lost their jobs.

Mr. Speaker, House Democrats did our job. On July 1, we passed an extension of benefits that would have restored benefits for those who lost them in early June. It would have also ensured that jobless Americans would have the peace of mind of knowing that benefits were available to them to the end of November while they continue to apply for jobs. And since then we have worked and reworked this benefits extension to try to address Republican concerns. But every time, every single time we have been stonewalled by Republican obstructionism. They would rather use unemployed Americans as political pawns instead of restoring benefits to good, decent, hardworking people who have earned them over a lifetime of work.

Mr. Speaker, enough is enough. Enough of the politics. Let us extend these benefits to the hardworking people who have lost their jobs, who are dealing with this difficult economic time. This is the right thing to do. This is the decent thing to do. We should have done it a long time ago. I urge my colleagues to support the rule and the underlying bill.

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

I have to remind my colleagues across the aisle again that the Democrats have been in control of Congress since January 2007, and we have had a Democrat in the White House for almost 2 years. So the Democrats have been in control and Republicans are in the minority, and the Democrats can do what they want to because of their numbers in Congress.

While the Obama administration continues its so-called summer of recovery, Mr. Speaker, claiming the Democrats' stimulus bill saved or created 3 million jobs, the facts are 47 out of 50 States have lost jobs since the stimulus passed. Republicans on the Ways and Means Committee released a report on Tuesday that showed this data, and I would like to insert this report into the RECORD.

Mr. Speaker, this report compares the number of jobs created in each State that the administration currently claims in a White House report issued July 14 with the actual change in jobs since the stimulus became law as documented by the administration's own Department of Labor. It shows that only Alaska, Kentucky, and North Dakota, along with the District of Columbia, have shown any real job growth since the stimulus passed. And even in those States, the official job creation has fallen far short of administration claims.

□ 1110

The administration claims that every State and the District of Columbia have seen a positive job growth. This is simply not true when you look at the actual numbers from the Department of Labor.

And let me say that in Alaska, only 2,200 jobs have been created since the stimulus passed. In Kentucky, 2,400 jobs; and in North Dakota, only 5,100 jobs. And most of us know that in North Dakota it's because of the discovery of energy. And that compares with what the administration has said they created 8,000 in North Dakota, they claim 41,000 in Kentucky, they claim 7,000 in Alaska. So the numbers are quite different.

But let me point out that in the District of Columbia where there are government jobs that have been created and lobbyist jobs that have been created as a result of this administration's policies, there are 7,800 jobs. So the bulk of the jobs that have been created are government jobs.

Republicans don't think this is right, neither do the American people think this is right. We need real jobs in the private sector.

47 OUT OF 50 STATES HAVE LOST JOBS SINCE DEMOCRATS' STIMULUS LAW—TUESDAY, JULY 20, 2010

While the Obama Administration continues their so-called ''Recovery Summer'' tour claiming the Democrats' stimulus bill ''saved or created'' three millions jobs, the facts show 47 out of 50 States have lost jobs since stimulus passed. The table below compares the number of jobs the Administration currently claims its stimulus has somehow created in each State (center column) with the actual change in jobs since stimulus became law (right hand column), as documented by the Department of Labor. It shows that only Alaska, Kentucky and North Dakota, along with the District of Columbia, have shown any real job growth since stimulus passed and even in those States the official job creation has fallen far short of Administration claims.

''Americans are asking where are the jobs, but all Washington Democrats are showing them is more unemployment, debt and higher deficits,'' said Ways and Means Ranking Member Dave Camp (R–MI).

State	Administration claims of change in jobs through June 2010	Actual change in jobs through June 2010
Alabama	+42,000	−45,500
Alaska	+7,000	+2,200
Arizona	+64,000	−80,300
Arkansas	+26,000	−12,600
California	+357,000	−520,200
Colorado	+50,000	−84,600
Connecticut	+38,000	−34,000
Delaware	+9,000	−5,500
DC	+16,000	+7,800
Florida	+167,000	−152,200
Georgia	+91,000	−124,600
Hawaii	+13,000	−12,700
Idaho	+15,000	−14,600
Illinois	+140,000	−155,000
Indiana	+68,000	−29,800
Iowa	+34,000	−23,700
Kansas	+28,000	−34,200
Kentucky	+41,000	+2,400
Louisiana	+39,000	−17,300
Maine	+14,000	−11,400
Maryland	+53,000	−14,300
Massachusetts	+79,000	−36,700
Michigan	+102,000	−91,400
Minnesota	+60,000	−47,900
Mississippi	+26,000	−25,400
Missouri	+59,000	−48,300
Montana	+10,000	−3,100
Nebraska	+17,000	−10,300
Nevada	+29,000	−64,300
New Hampshire	+13,000	−100
New Jersey	+94,000	−68,300
New Mexico	+19,000	−30,900
New York	+206,000	−115,400
North Carolina	+90,000	−49,700
North Dakota	+8,000	+5,100
Ohio	+117,000	−131,500
Oklahoma	+35,000	−33,500
Oregon	+41,000	−49,000
Pennsylvania	+130,000	−71,600
Rhode Island	+11,000	−15,200
South Carolina	+41,000	−15,100
South Dakota	+8,000	−4,100
Tennessee	+60,000	−69,400
Texas	+225,000	−57,700
Utah	+27,000	−11,000
Vermont	+7,000	−7,300
Virginia	+73,000	−39,500
Washington	+67,000	−68,600
West Virginia	+16,000	−10,200
Wisconsin	+63,000	−82,000
Wyoming	+6,000	−9,900

Sources: July 14, 2010, White House.
Council of Economic Advisors report and Ways and Means Republican Staff calculations based on Department of Labor data.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 2 minutes to my good friend, the distinguished gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Thank you very much for yielding.

Let me tell you something about the State of Nevada. We have the highest unemployment rate in the country—14½ percent unemployed—our fellow citizens with no jobs to go to and no jobs to seek. We have the highest mortgage foreclosure rate in the country. Nevadans are suffering.

It has taken far too long for this Congress to act. Unemployment benefits are not a handout. It's not welfare. It's giving a helping hand to our fellow citizens that need it the most, to get them where they are now—which is without a job—to where they're going to be when there is an economic recovery.

The gentleman from northern Nevada had an amendment in the Rules Committee that said unobligated stimulus money should go to pay for this. How many times does he have to hear that there are no unobligated funds in the stimulus bill? For any Nevadan to condemn the stimulus bill is to ignore what's going on in the State of Nevada.

Let me tell you what the stimulus bill did for us. It put $700 billion into our education system. I'm not talking about only paying teachers and keeping them employed, I'm talking about the possibility of having to close schools. It put $500 billion into Medicaid so that poor children and poor adults aren't going to be out on the streets dying for lack of medical care. Our unemployment compensation trust fund was broke. Zero. Zippo. We were able to put money into that.

And in addition to that, the construction projects that came directly from the stimulus package—not public but private contractors bidding on these projects and then hiring construction workers, the downtown transportation center, the park-and-ride in Centennial Hills, the Boulder Highway Transportation Center, and so many more came directly from this stimulus bill.

In addition to that, we had a middle-income tax cut, we had $250 that went

to every Social Security recipient, $250 went to every disabled veteran in Nevada. We welcomed this money. We needed this money. It kept us afloat.

Ms. FOXX. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Speaker, yes, I've talked to several of our unemployed back home. And boy, I tell you, I empathize with them. It's a tough position. I just talked to an unemployed truck driver. His benefits are running out, but yet the trucks that have been idled over the last couple of years are yet to be back onto the road because this is a jobless recovery. Well, it's a very minimal recovery at best. But they aren't creating the jobs.

The public knows and we know that the stimulus hasn't worked. The business community feels that not only does the administration not understand business, but they are now attacking businesses, and the policies have created uncertainty where they won't create the jobs. That's the issue here. There's no jobs for them to go back to because of the policies that have been adopted in the last year and a half.

We should be growing the economy and getting these people back to work. That's what they want to do.

Now, again, I empathize. But the issue here is at a time when the majority is spending probably over $4 trillion by the time this calendar year is done—and we're already at deficit spending of over a trillion dollars by June—the people are saying, Stop the spending. Stop the deficit spending.

And that's what the issue is here is the $34 billion that's not paid for that's going to go to the deficit and ultimately to our national debt, and that's what the people are telling us to stop—even the unemployed truck driver that I talked to.

So, all we ask of the majority here, $34 billion, you're telling me out of—well, we don't have a budget—but out of $3.8 trillion you can't find $34 billion to offset and keep your promises of PAYGO?

Mr. HASTINGS of Florida. Mr. Speaker, I would tell my friend where that trillion-dollar deficit came from is the $1 trillion combined in Afghanistan and Iraq that we spent that's off budget, never accounted for, borrowed and spent by the Republicans in the majority.

Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Wisconsin, my good friend, the chairman of the Committee on Appropriations, DAVID OBEY.

Mr. OBEY. I thank the gentleman for the time.

Talk, talk, talk. Blah, blah, blah. Yap, yap, yap. The country is sick of it all. They are sick of it all. Thank God finally there will be a cease-fire for the moment on the yap-yapping and the talk-talking while the Congress actually takes some action to restore unemployment benefits for nearly 85,000 people in my State and over 2½ million Americans who are caught up in the partisan delay game that was being played every day by some of our friends in the other body.

We're told, ''Oh, we can't afford this.'' We hear that from the same people who blew up the economy in the first place with two wars paid for with borrowed money, with two tax cuts primarily aimed at the highest income people in this country paid for with borrowed money, and with years of economic policies that allowed Wall Street banks to morph into casinos because the referee was taken off the field.

And now they're crying crocodile tears at this late date about the cost of helping folks who are unemployed. And they want us to take actions in dealing with that that would further weaken the ability of the economy to grow.

And then some of them even have the gall to challenge the work ethic of Americans who are drawing unemployment. And some of them are off-the-wall enough to even believe that those folks would rather get a few hundred bucks a month rather than a steady paycheck. Well, if you believe that, I've got a lot of unemployed workers in Wisconsin I'd like to have you meet.

If you want, if you must, by all means debate economic theory, debate your academic theories, debate anything you want. But for God's sake remember that in this debate the people who are being affected are flesh-and-blood human beings. They are families who need our help. And it would be nice if we could quit yap-yapping long enough to provide that help.

Don't use the unemployed as cannon fodder in academic and political debates. For God's sake, remember there are simply people who need our help. Get it to them. We can have the phony political debates on another day.

Ms. FOXX. Mr. Speaker, I need to point out to my colleagues once more that when the Democrats took over the Congress in January of 2007, the deficit was about $200 billion. There was a wonderful situation under Mr. Clinton, they like to point out, but that was because Republicans were in control of Congress and were controlling spending.

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When the Democrats took control of Congress, that's when things started going downhill for this country. It's when unemployment started going up and bad things happened.

Let me say, Republicans have repeatedly called for cutting unspent stimulus spending to offset spending, but we're not alone.

The majority leader, Mr. HOYER, said on June 13 there's spending fatigue across the country and that, if we have dollars not yet expended in the Recovery Act, they should be redirected to pay for new spending like this.

The chairman of the House Appropriations Committee, Mr. OBEY, hailed amendments to the supplemental appropriations bill made on July 1 that were paid for by repeatedly cutting unspent projects in the stimulus bill.

In the other body, the chairman of the Senate Finance Committee, Mr. BAUCUS, has suggested the same, pay for new spending by cutting stimulus.

Mr. Speaker, I enter the sources for my comments in my remarks for the RECORD.

Republicans have repeatedly called for cutting unspent stimulus spending to offset this spending. We are not alone. The Majority Leader, Mr. HOYER, said on June 13 there is ''spending fatigue'' across the country and that ''if we have dollars not yet expended in the recovery act'' that they should be redirected to pay for new spending like this. The Chairman of the House Appropriations Committee, Mr. OBEY, hailed amendments to the supplemental appropriations bill made on July 1 that were paid for by repeatedly cutting unspent projects in the stimulus law. In the other body, the Chairman of the Senate Finance Committee, Mr. BAUCUS, has suggested the same—pay for new spending by cutting stimulus.

[From the Hill's On The Money, June 13, 2010]

HOYER: WHITE HOUSE SHOULD LOOK TO REDIRECT STIMULUS MONEY

(By Silla Brush)

House Majority Leader Steny Hoyer (D–Md.) wants the White House to look at unspent money from the 2009 stimulus package instead of asking Congress for a new fiscal package.

President Barack Obama on Saturday night wrote to congressional leaders urging them to pass legislation extending tax cuts and add new spending to prevent ''hundreds of thousands'' of teacher layoffs, among other cuts. Obama said that without such measures the economy could ''slide backwards.''

Hoyer said on ABC's ''This Week'' on Sunday that there is ''spending fatigue'' across the country and that he is encouraging the administration to look at last year's $787 billion stimulus package to see if some money can be redirected.

''I have asked the White House to look at the package we already passed,'' Hoyer said. ''I personally believe if we have dollars not yet expended in the recovery act we could apply to this immediate need.''

Centrist Democrats in recent weeks have been more vocal about their concerns that new spending would lead to higher deficits and debt.

House Republican Leader John Boehner (R–Ohio) said: ''To move without finding other offsets is irresponsible.''

[From the Committee on Appropriations, July 1, 2010]

HOUSE CONSIDERATION OF THE 2010 SUPPLEMENTAL APPROPRIATIONS ACT: AMENDMENTS ON FULLY OFFSET EDUCATION AND OTHER FUNDING

(By Ellis Brachman and Jenilee Keefe Singer)

WASHINGTON, D.C.—The House of Representatives passed two amendments to H.R. 4899, the 2010 supplemental appropriations bill for efforts in Iraq, Afghanistan, and Haiti and pressing domestic needs.

The Senate bill provides a total of $45.5 billion in discretionary funding for FY 2010, of

which $37.12 billion is provided for our troops in Iraq and Afghanistan. The bill also provides $5.1 billion for FEMA disaster relief, $2.9 billion for Haiti, $162 million for the Gulf Coast oil spill, and over $600 million for other domestic needs in discretionary appropriations. Additionally, the bill includes $13 billion in mandatory funding for Vietnam veterans exposed to Agent Orange as requested by the President.

The House amendments add $22.8 billion for important domestic needs, including $10 billion for an Education Jobs Fund to help save 140,000 education jobs for the next school year, and funding for Pell Grants, summer youth jobs, the Pigford and Cobell settlements, border security, innovative technology energy loans, schools on military installations, additional Gulf Coast oil spill funding, emergency food assistance, a new soldier processing center at Fort Hood, and program integrity investments that are proven to produce 1½ times their cost in savings.

In order to hold the total amount to the President's requested level over a ten-year period, the amendments include a total of $23.5 billion in offsets: $11.7 billion in rescissions from programs that no longer require the funding, have sufficient funds on hand, or do not need the funding this year or next; $4.7 billion in savings from changes to mandatory programs; and $7.1 billion in increased revenues.

In total, the amendments save the Federal Government $493 million over ten years compared to the President's request for Supplemental funding.

SUMMARY OF PROVISIONS IN THE HOUSE AMENDMENTS

Education Jobs: $10 billion, fully offset, for an Education Jobs Fund to provide additional emergency support to local school districts to prevent impending layoffs. It is estimated that this fund will help keep 140,000 school employees on the job next year.

Process: The fund will be administered by the Department of Education. After reviewing State applications, the Department will make formula allocations to States based on total population and school age population. States will then distribute the funds to school districts through their respective funding formulas or based on each district's share of Title I funds. In the case that a Governor does not submit an approvable application for funds to the Department of Education, the bill directs the Secretary to bypass the State government and make awards directly to other entities within the State.

Requirements: The bill includes strict provisions to ensure that States use these funds only for preservation of jobs serving elementary and secondary education, and not to supplant State spending on education.

Amounts from the Education Jobs Fund may not be used for purposes such as equipment, utilities, renovation, or transportation.

The bill prohibits States from using any of these funds to add to ''Rainy-Day Funds'' or to pay off State debt.

In order to receive an Education Jobs Fund grant, each State must provide assurance that State spending for both K–12 and higher education (measured separately) in fiscal year 2011 will be at or above either:

1. the fiscal year 2009 level (in aggregate or per pupil);

2. the same percentage share of the total State budget as in fiscal year 2010, or;

3. for states demonstrating especially dire fiscal conditions, the 2006 fiscal year aggregate dollar level or percentage share.

NOTE: More stringent rules apply to the State of Texas.

Pell Grants: $4.95 billion, fully offset, to address the current year shortfall in the Pell Grant Program that was unanticipated last year. Over 8 million students received Pell grants this year.

Border Security: $701 million to strengthen enforcement on the southern border, including:

$208.4 million for 1,200 additional Border Patrol agents deployed between the ports of entry along the Southwest Border.

$136 million to maintain current Customs and Border Protection (CBP) officer staffing levels and add 500 additional officers at ports of entry along the Southwest Border.

$35.5 million for improved tactical communications on the Southwest Border, three permanent Border Patrol forward operating bases, and a surge of workforce integrity investigations designed to prevent corruption among CBP officers and agents.

$50 million for Operation Stonegarden grants to support local law enforcement activities on the border.

$32 million to procure two additional CBP unmanned aircraft systems.

$30 million for Immigration and Customs Enforcement activities directed at reducing the threat of narcotics smuggling and associated violence.

$201 million for Justice Department programs, as requested.

Gulf Oil Spill: $304 million for the Gulf Coast oil spill. The Senate bill carried $162 million, including: $83 million for unemployment assistance related to the oil spill and an oil spill relief employment program; $7 million for NOAA oil spill response activities, including scientific investigations and sampling; $14 million to respond to economic impacts on fishermen; $10 million for Justice legal activities; $5 million for economic recovery planning; and $31 million for the Department of the Interior to conduct additional inspections and enforcement and to strengthen oversight and regulation and for the EPA to conduct a long-term risk study. The House amendment adds $12 million for the newly created Presidential Commission investigating the spill; and $130 million for an unemployment benefits program for the self-employed (i.e., fisherman) and for training and employment services.

Emergency Food Assistance: $50 million for The Emergency Food Assistance Program for food purchases to distribute through local emergency food providers.

Schools on DoD Installations: $163 million to improve the capacity and condition of elementary and secondary schools located on DoD installations.

Energy Loans: $180 million to allow $18 billion in innovative technology energy loans, split evenly between nuclear and renewable energy programs.

Fort Hood Soldier Processing Center: $16.5 million for the replacement of the Soldier Readiness Processing Center at Fort Hood, Texas, the site of the 2009 shooting.

Program Integrity Funding: $538 million to strengthen waste, fraud and abuse prevention and enforcement for Medicare, Medicaid and the IRS. Research shows that for every $1.00 invested into identifying and eliminating waste, fraud and abuse in government spending, we get $1.50 back.

Cobell and Pigford Settlements: $4.6 billion to pay for settlement of both the Cobell and Pigford class action lawsuits. The Cobell settlement concerns the government's management and accounting for over 300,000 American Indians' trust accounts, and the Pigford settlement ends a decades old discrimination lawsuit brought by black farmers against USDA.

Summer Jobs: $1 billion to allow local Workforce Investment Boards to expand successful summer jobs programs that were funded in the American Recovery and Reinvestment Act. The funds would support over 350,000 jobs for youth ages 14 to 24 through summer employment programs. This age group has some of the highest unemployment levels—25% unemployment for those aged 16 to 19.

Modifications to the Surface Transportation Extension Act of 2010: Makes two changes to Title IV, the ''Surface Transportation Extension Act of 2010,'' of the Hiring Incentives to Restore Employment (HIRE) Act. First, the amendment would distribute the Projects of National and Regional Significance (PNRS) and National Corridor Infrastructure Improvement (National Corridor) program funding so that each State receives a share equal to the greater of either (1) the amount of PNRS and National Corridor program funding that the State received under the HIRE Act or (2) the amount of PNRS and National Corridor funding that the State receives under this Act. The provision authorizes such sums as may be necessary from the Highway Trust Fund to provide these amounts. Second, the amendment would distribute ''additional'' highway formula funds (which the bill makes available in lieu of additional Congressionally-designated projects) among all of the highway formula programs rather than among just six formula programs.

UNDERLYING SENATE PROVISIONS

FEMA Disaster Relief: $5.1 billion for the FEMA Disaster Relief Fund, as requested by the President and included in the Senate bill. The request is necessary to pay for known costs for past disasters, such as Hurricanes Katrina, Rita, Ike, and Gustav, the Midwest floods of 2008, and the California wildfires and for needs that emerge from new disasters.

Veterans: $13.377 billion in mandatory appropriations in 2010, as included in the Senate bill, for the payment of benefits to Vietnam veterans and their survivors for exposure to Agent Orange, which has been linked with Parkinson's disease, ischemic heart disease, and hairy cell/B cell leukemia. An estimated 86,069 people will be eligible to receive retroactive payments and 67,259 people will be eligible to receive new benefits.

Haiti: $2.93 billion provided in the Senate bill for Haiti, $130 million above the request.

Farm Loans: $31.5 million, supporting $950 million in farm loans, included in the Senate bill for the Farm Service Agency (FSA) to provide direct loans to family farmers who may not qualify for agricultural credit through other commercial institutions in the tight credit market. The funding provided in the FY 2010 appropriation bill was estimated to meet demand at the time the bill was passed, but demand for the farm ownership and operating loan programs continues to rise above historical levels due to the lack of availability of conventional credit.

Disaster Assistance: $100 million in Community Development Block Grant (CDBG) funding included in the Senate bill to help local communities devastated by flooding this year.

Mine Safety: $22 million included in the Senate bill to reverse the growing backlog of mine safety enforcement cases while ensuring that the Mine Safety and Health Administration (MSHA) can complete 100% of its mandated mine inspections.

Financial Crisis Inquiry Commission: $2 million included in the Senate bill to allow the Commission to investigate the causes of the recent financial crisis. The Commission is tasked with submitting its report by December, 2010.

Capitol Police: $13 million included in the Senate bill for the ongoing acquisition and installation of a modern digital radio system because of known security threats.

Port of Guam: $50 million, as requested, included in the Senate bill to improve and provide greater access to port facilities.

Highway Safety: $15 million included in the Senate bill for additional studies of sudden acceleration and to administer fuel economy standards.

Rural Housing Loans: the Senate bill provides authority to continue making loans, and protects low-income borrowers from the loan fee increase.

Army Corps of Engineers: $178 million included in the Senate bill to respond to natural disasters.

Mississippi River and Tributaries: $18.6 million included in the Senate bill to respond to disasters.

Emergency Drought Relief: $10 million included in the Senate bill to respond to droughts in the West.

Flood Control and Coastal Emergencies: $20 million provided in the Senate bill for the Army Corps.

Fisheries Disasters: $26 million provided in the Senate bill and offset by a NOAA rescission.

Economic Development Administration: $49 million provided in the Senate bill.

Emergency Forest Restoration: $18 million provided in the Senate bill.

Coast Guard: $16 million provided in the Senate bill for aircraft replacement.

OFFSETS

The bill includes $11.7 billion in rescissions from programs that no longer require the funding, have sufficient funds on hand, or do not need the funding this year or next. It also includes $4.7 billion in savings from changes in mandatory programs. Rescissions include:

$69.9 million in funds appropriated before 2008 to the Department of Agriculture.

$122 million in funding provided to the Department of Agriculture for emergencies that have been completed.

$487 million in Recovery Act and other funding provided to the Department of Agriculture for WIC.

$27.3 million in emergency funding for the Farm Service Agency provided as early as 2004 that are no longer needed.

$602 million in Recovery Act funding provided to the Departments of Agriculture and Commerce for broadband grants.

$112 million in funding provided in the Recovery Act for digital television.

$15 million in funding provided in the Recovery Act for NIST construction.

$2 billion in funding appropriated as early as 2006 to the Defense Department.

$500 million in funds appropriated to the Department of Defense for military construction projects that achieved bid savings.

$262 million in Recovery Act funding provided to the Department of Defense.

$177 million in funding appropriated to the Defense Department for HMMWVs they no longer plan to purchase.

$116 million appropriated for the Non-Line of Sight Launch System (NLOS–LS) which the Army has terminated.

$100 million appropriated to the Army for Operations and Maintenance, because of slow execution of some programs within the account

$87 million appropriated for SINCGARS radios and other Army procurement programs that have not been spent as quickly as planned.

$237 million in funds appropriated for Army Corps of Engineers projects now terminated or completed, or for projects that have not utilized allocated funding for several years.

$800 million in funding provided to the Department of Education for new discretionary grant awards.

$329 million in funding appropriated as early as 2009 to the Department of Energy, (including out-year savings).

$18 million in funding appropriated as early as 2005 to the Nuclear Regulatory Commission.

$100 million in funding appropriated to the General Services Administration.

$6 million in funds appropriated in 1995 to the Department of Health and Human Services.

$2 billion in funding appropriated as early as 2004 to the Department of Health and Human Services for pandemic flu and procurement of new biological countermeasures.

$200 million in funding for DHS border efforts currently frozen due to secretarial review.

$36 million in funds appropriated in 2006 to FEMA.

$7 million in funds appropriated in 2006 to the Coast Guard.

$53.8 million in funds appropriated as early as 2007 for research in DHS' Domestic Nuclear Detection office.

$6.6 million in funds appropriated in 2007 to the Transportation Security Administration.

$80 million in Recovery Act funding appropriated to the Department of Interior, EPA, and Forest Service.

$33 million in funding provided in 1997 and 2004 to the National Park Service and the Fish & Wildlife Service.

$2.7 million in funds appropriated in 2010 to the Judiciary.

$11 million in funds appropriated in 1989 to the Federal Highway Administration.

$8 million in funds appropriated in 2004 and 2006 to the Federal Aviation Administration.

$112 million in funds appropriated in 2008 for Hurricanes Ike and Gustav and Midwest Floods.

$400 million in funds appropriated in 2008 for CDBG for Hurricane Katrina.

$2.2 billion in highway contract authority.

$44 million in unused Recovery Act funding from the Consumer Assistance to Recycle and Save Program (aka Cash for Clunkers).

$40 million in Recovery Act funding appropriated to the State Department.

$150 million in funding appropriated for the Millennium Challenge Corporation.

$70 million in funding appropriated to the Department of State and USAID for the Civilian Stabilization Initiative.

$6 million in Recovery Act funding provided to the Department of Veterans Affairs for which the purpose has been completed.

$5 million in funding appropriated to the Architect of the Capitol.

OTHER PROVISIONS

Iran Sanctions: The House amendment prohibits funding from being provided for any new contract unless the contractor has certified that it, and any entities it controls, does not engage in activity that could be sanctioned under section 5 of the Iran Sanctions Act of 1996.

No Fly List: The Senate bill requires the Transportation Security Administration (TSA) to require commercial foreign air carriers to check the list of individuals TSA has prohibited from flying no later than 30 minutes after the list has been updated.

High-Value Detainee Interrogations: The Senate bill requires the FBI to submit the High-Value Detainee Interrogation procedures, and any updates to those procedures, to the Congress within 30 days.

Defense Jobs Estimates: The House amendment requires an assessment of the number of jobs and costs associated with new major defense acquisitions planned for 2011.

Preserving Access to Affordable Generic Drugs: The House amendment includes a provision to strengthen the Federal Trade Commission's ability to restrict lucrative ''pay for delay'' payments by brand-name drug manufacturers to their generic competitors to delay the manufacture and marketing of more affordable generic drugs to consumers. In 2009, an FTC study found that a ban on these lucrative sweetheart drug industry deals would save American consumers $35 billion over 10 years. CBO estimates that with the provision in this bill, the federal government will save more than $2.4 billion over 10 years in lower drug costs for Medicare, Medicaid, military and veterans' health programs.

Medicaid AMP Computation: The House amendment includes a provision to clarify the calculation of the ''Average Manufacturer Price'' (AMP), which determines the amount of manufacturer rebates to the federal government for outpatient drugs purchased by the Medicaid program. This technical correction to the health care reform bill affects certain injectable, infusible, and inhalation drugs. It will save the American taxpayers $2.1 billion over 10 years.

Public Safety Collective Bargaining: The House amendment guarantees collective bargaining rights for the nation's first responders employed by States and localities. Under the language, states would administer and enforce their own labor laws, while the Federal Labor Relations Authority would step in only where such laws do not exist or do not meet minimum standards. The language prohibits public safety officers from engaging in a lockout, sickout, work slowdown, strike, or any other organized job action that will disrupt the delivery of emergency services.

FHA Loan Authority: The House amendment increases the loan commitment authority for the Federal Housing Administration (FHA) to insure mortgages for multifamily housing, hospitals and health care facilities. This increase in authority is necessary in order to avoid a disruption or suspension in the financing of these facilities.

GRAT Minimum Term: Includes the President's 2011 Budget proposal to require a minimum 10–year term and other changes to Grantor retained annuity trusts (''GRATs''). GRATs allow taxpayers to structure a transfer of assets to avoid gift taxes. As a result, taxpayer would be required to take on greater risk in order to take advantage of the gift tax benefits of using a GRAT. This provision is estimated to raise $5.297 billion over 10 years.

Crude Tall Oil: Limits eligibility for the cellulosic biofuel tax credit, which was created to encourage the development of new production capacity for biofuels that are not derived from food sources, to fuels that are not highly corrosive (i.e., fuels that could be used in a car engine or in a home heating application). The change would prevent taxpayers from claiming the credit for production of processed fuels that are highly corrosive, such as crude tall oil (a waste by-product of the paper manufacturing process). This proposal is estimated to raise $1.849 billion over 10 years.

[From the Hill's On The Money]

HOUSE DEMOCRATS TO USE UNSPENT STIMULUS MONEY FOR TEACHERS

(By Walter Alarkon)

House Democrats will try to use money from their $862 billion stimulus to help pay for education spending in a supplemental appropriations bill.

The package crafted by House Appropriations Committee Chairman David Obey (D–Wis.) would include $10 billion to help states and local governments avoid teacher layoffs, $5 billion for Pell Grant funding and $701 million to increase security at the Mexican border.

House leaders will try this week to attach the measure as an amendment to a spending

bill already passed by the Senate that provides $37 blllion for the wars in Afghanistan and Iraq.

Obey's $11.7 billion domestic spending package wouldn't add to the $13 trillion debt. It would be offset by redirecting money in the stimulus and with other spending cuts.

About $1.6 billion in stimulus money that would have gone to the departments of State, Defense, Interior, Veterans Affairs, Agriculture and Commerce and for the ''Cash for Clunkers automobile trade-in program will be used as an offset in the supplemental bill.

Obey's decision to offset the spending with stimulus funds is aimed at shoring up support for the supplemental spending bill. Both Republicans and centrist Democrats have opposed more deficit spending to help boost the economy.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank the gentlelady for yielding.

The jobless need jobs. Why is it that the majority doesn't understand that? We do not help the unemployed by making more of them.

The gentleman from Florida asked an important question: What would have happened without all of the trillions of dollars of stimulus spending? It's becoming increasingly clear what would have happened: a normal V-shaped recovery.

In every past economic recession, save one, the greater the economic contraction, the more dramatic has been the following recovery. That one exception was the recession of 1929 when Keynesian economics had come into vogue. Herbert Hoover responded to that recession by enacting the Smoot-Hawley Tariff Act that was a tax on tens of thousands of imported products. He increased Federal spending 60 percent in 4 years. He increased the Federal income tax rate from 25 to 63 percent. These were policies that were extended and expanded under Franklin Roosevelt, and as Roosevelt's own Treasury Secretary admitted in 1939, it did not work.

The gentleman's history is simply wrong. The Depression ended and the great postwar economic boom began in 1946. You will find that, in 1946, Democrat Harry Truman cut Federal spending dramatically. In 1946, he cut the Federal budget from $80 billion down to $35 billion. He fired 10 million Federal employees. It was called demobilization, and the result was the entire postwar economic expansion.

Mr. Speaker, it's said that those who don't learn from history are bound to repeat it. I fear that the majority party is repeating a failed history of economic contraction at just a time when we need pro-growth policies.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to my colleague and fellow Floridian, the distinguished gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I am appalled, and my constituents are appalled, at the Republicans' disrespect and coldheartedness when it comes to extending unemployment benefits for out-of-work Americans. Some Republican Members of Congress and candidates in their party have suggested that unemployment insurance makes Americans too lazy to work. One Republican Member of the House even asked, ''Is the government now creating hobos?''

Maybe my Republican colleagues don't understand how unemployment compensation works. You only qualify for unemployment if you were employed. Far from being a handout to someone who doesn't want to work, unemployment benefits are specifically designed for people who want to work but who can't currently find work.

The Bush recession drove our economy off a cliff creating the worst economic conditions since the Great Depression. As a result, millions of Americans lost their jobs. Nearly 800,000 Americans lost their jobs in the last month of the Bush administration alone. Those are the facts.

Now we are beginning to recover from this near economic collapse. We've seen steady economic growth, including six straight months of private sector job growth, but there are still five unemployed Americans looking for work for every one job opening available.

The continued Republican opposition to helping out-of-work Americans is preposterous. It flies in the face of history. Since 1959, Congress has never let extended unemployment benefits expire when unemployment is over 7.2 percent.

My colleagues on the other side of the aisle claim that we can't afford to help unemployed Americans, but where were they when they ran up the deficit by passing tax cuts for the wealthiest 1 percent of Americans? Where were they when, year after year, President Bush's budget did not include the costs of the wars in Iraq and Afghanistan?

Mr. Speaker, analysis from the nonpartisan Congressional Budget Office finds that extending unemployment benefits is one of the most cost-effective and fast-acting ways to stimulate the economy. Moreover, economists agree that extending these benefits will create jobs and decrease the chances of slipping into a double-dip recession. So not only is it the right thing to do to help people who are temporarily out of work, it is also one of the best ways to stimulate local economies, from the very smallest towns to the very biggest cities.

Let's do the right thing. Let's pass extended unemployment benefits.

Ms. FOXX. Mr. Speaker, I yield myself the balance of my time.

You know, I've often said that being here in Washington is like being Alice in Wonderland. I didn't know that there are a lot of other people who feel the same way.

I did want to ask my colleague from Massachusetts who made the contention that if we get $1.90 back for every dollar we spend, we don't understand why the Democrats are stopping at spending $34 billion for these unemployment benefits. But I do want to come back to the issue of being Alice in Wonderland.

And recently, there have been several articles that have been published that have talked about this being Alice in Wonderland and the tea party, and I would like to quote from one of those articles from The Washington Times this Monday.

''A recent CBS Poll reports that 74 percent of the population thinks the nearly $1 trillion stimulus package either hurt or had no impact on the economy. Simply put, that means three-fourths of the American people think the stimulus package was a $1 trillion waste of money. The same poll reports that 2.5 times as many people think the health care reform bill signed into law by Democrats will hurt them (33 percent) rather than help them (13 percent).''

It goes on to say, ''Many Americans are seized with fear as what might normally be a benign, lame-duck session of Congress looms in November.''

Another quote: ''In Lewis Carroll's story, Alice finds herself in a bizarre, nightmarish world where the basic laws of logic no longer apply and familiar beings take on strange, unreasoning personas. More and more, many Americans view our progressive leaders on Capitol Hill and at 1600 Pennsylvania Avenue as the insane hosts of an ongoing Washington-style mad tea party.''

I think that's what many Americans feel. I agree with them. That is what we are hearing when we go home to our districts and talk to the people there. They're seeing Washington as Wonderland and that there is a mad tea party going on.

I would like to also point out that there's another article which came out in Bloomberg Opinion which talks about the discrepancy in the job numbers that have come out.

Mr. Speaker, we know Americans are hurting. We know there's a lot of unemployment and we're sympathetic, but this is not the right way to go.

[From the Washington Times, July 19, 2010]

A TALE OF TWO TEA PARTIES

(By Doug Mainwaring)

Two Tea Parties grip the nation in two very different ways. The first is the Tea Party movement, which traces its origins to a watershed historic event as its members attempt to bring sanity and sustainability back to government. The second finds its origins in literature—Lewis Carroll's ''The Adventures of Alice in Wonderland''—and is descriptive of the surreal governance of the progressives in the White House and Congress as they continue their push toward governmental insanity and unsustainability. Like matter and antimatter, positive and negative charges, they are set in polar opposition to each other.

In Lewis Carroll's story, Alice finds herself in a bizarre, nightmarish world where the basic laws of logic no longer apply and familiar beings take on strange, unreasoning personas. More and more, many Americans

view our progressive leaders on Capitol Hill and at 1600 Pennsylvania Ave. as the insane hosts of an ongoing Washington-style mad tea party. Those leaders act not just counterintuitively, they act outside the bounds of logic, reason and historic precedent that normally tether this country to safety. They behave as political elites who think they know better than the American public what's best. They are ludicrously out of touch.

The madness of this Washington tea party is displayed in myriad ways, but most profoundly in the nearly limitless demonstrations of stunning disconnect between the political elites and the American people. Congressional approval hovers around 20 percent, while disapproval is around 70 percent. The president's approval rating has been in decline for a long time, now at about 45 percent and sinking. Despite the fact that a majority in this country disapprove of the work being done by the political class, the political elites continue to pass gigantic, overreaching, outrageously expensive legislation.

A Rasmussen survey released on Friday finds that 59 percent of likely voters are embarrassed by the nation's political class and its behavior while just 23 percent are not. A stunning 64 percent see the political class as a bigger threat to our nation than legislation such as Arizona's new immigration law. Just 20 percent say the opposite. In general, the nation sees the political class as both an embarrassment and, in some ways, a threat by about a 3–1 margin.

From the point of view of the ruling political class, it has racked up tremendous achievements: the stimulus package, health care reform, education reform, Wall Street reform and so on. While the elites lift their champagne glasses to toast themselves, outside the Beltway, no one is popping corks.

Most of the country looks on with jaws dropped, wondering: What are you folks on Capitol Hill thinking? Twenty-four-hundred pages of unintelligible health care reform and another 2,300 pages of unintelligible financial reform signed into law. Stacked together, they create a legislative Tower of Babel. How dare you pass this massive legislation while you lack the confidence of the American people by a 7–2 margin?

Undaunted, their mad tea party continues.

A recent CBS Poll reports that 74 percent of the population thinks the nearly $1 trillion stimulus package either hurt or had no impact on the economy. Simply put, that means three-fourths of the American people think the stimulus package was a $1 trillion waste of money. The same poll reports that 2.5 times as many people think the health care reform bill signed into law by Democrats will hurt them (33 percent) rather than help them (13 percent).

Many Americans are seized with fear as what might normally be a benign, lame-duck session of Congress looms in November. Will this be used as a window of opportunity for progressives to pass more unwanted legislation? ''Cap and trade''? Card check? This could be their intention.

Our progressive leaders don't get it, and what's more, they don't care. They don't understand how starkly different, how irrational and just how unhinged they appear to folks outside the Beltway. While Lewis Carroll's mad tea party is literary fantasy, sadly, the progressives' mad tea party in Washington is very real.

Robert Weissberg offered his view in the American Thinker on April 29: ''I finally realized that the Obama administration and its congressional collaborators almost resemble a foreign occupying force, a coterie of politically and culturally non-indigenous leaders whose rule contravenes local values rooted in our national tradition. It is as if the United States has been occupied by a foreign power, and this transcends policy objections.''

Dorothy Rabinowitz, writing in the Wall Street Journal a few weeks later on June 9, shares a similar sentiment: ''A great part of America now understands that this president's sense of identification lies elsewhere and is in profound ways unlike theirs. He is hard put to sound convincingly like the leader of the nation, because he is, at heart and by instinct, the voice mainly of his ideological class. He is the alien in the White House. . . .''

Interestingly, the progressives' mad tea party in Washington is what has given rise to the august Tea Party movement. Washington leadership has abandoned the venerable, common-sense, salt-of-the-earth center and right of our nation. The movement has emerged to fill the gaping void in center-right leadership to stem the tide of this Washington madness. Republican leaders have been either clueless or unwilling to lead bravely and skillfully. When Republicans controlled both houses of Congress, they also spent profligately. With such a huge vacuum of leadership in Washington, the Tea Party movement has burst forth to lead the way.

The people at this country's admirable, sustaining center have been ignored, trampled and tyrannized for too long. They have been marginalized through political correctness and the constant motion of the dividing line between progressivism and conservatism far to the left. We now live in an upside-down, Alice-in-Wonderland, house-of-mirrors world where the most basic of mainstream American sensibilities are considered to be radical right-wing thought. This has led Americans from sea to shining sea to announce: Enough is enough.

Tea Partiers seek to end the madness in Washington and establish fiscal sanity and sound, reasonable, constitutionally limited government.

[From the Bloomberg Opinion, July 18, 2010]

OBAMA OMITS JOBS KILLED OR THWARTED FROM TALLY

(By Caroline Baum)

Can you believe they're still touting that silly metric?

When I heard last week that the White House would be announcing the number of ''jobs created or saved'' as a result of the 2009 American Reinvestment and Recovery Act, my first reaction was embarrassment.

Imagine how Christina Romer must feel. The chairman of the President's Council of Economic Advisors was dressed in a cheery, salmon-colored jacket, a complement to the upbeat news she had to deliver on July 14. The $787 billion stimulus enacted in February 2009, which subsequently grew to $862 billion, increased gross domestic product by 2.7 percent to 3.4 percent relative to where it would have been, and added anywhere from 2.5 million to 3.6 million jobs compared with an ex-stimulus baseline.

''By this estimate, the Recovery Act has met the president's goal of saving or creating 3.5 million jobs—two quarters earlier than anticipated,'' Romer said with a straight face. (More than 2.5 million nonfarm jobs have been lost since ARRA was enacted in February 2009, all of them in the private sector, according to the Bureau of Labor Statistics.)

How does the CEA arrive at these numbers? It uses two methods, Romer said. The first is a standard macroeconomic forecasting model that estimates the multiplier effect of fiscal policy. (The government's spending is someone else's income.) The second method is statistical, using previous relationships between GDP and employment to project future behavior.

MODEL IMPERFECTION

These numbers might just as well have been pulled out of a hat. Recall that it was the same model and method the administration used in January 2009 to predict an unemployment rate of 7 percent in the fourth quarter of 2010 with the enactment of the fiscal stimulus and 8.8 percent without. The unemployment rate now stands at 9.5 percent.

This same model convinced policy makers that the subprime crisis was contained, encouraged the rating companies to slap AAA ratings on collateralized garbage, and led banks to believe they had adequately managed their risks and reserved for potential losses.

Econometric models rely on the assumption that $1 of government spending generates more than $1 of GDP, the so-called multiplier effect. There is no allowance for the negative multiplier on the other side.

Sure the government can spend money and generate GDP growth in the short run: Government spending is a component of GDP!

What it giveth it taketh away from the private sector via taxation or borrowing. Every dollar the government spends is a dollar the private sector doesn't spend, an investment it doesn't make, a job it doesn't create. This is what is unseen, as Frederic Bastiat explained in an 1850 essay.

HIRING DISINCENTIVES

''If the administration wants to take credit for 'jobs created or saved,' it should also accept responsibility for 'jobs destroyed or prevented,'" said Bill Dunkelberg, chief economist at the National Federation of Independent Business.

Ignoring the flaws in the stimulus for the moment, Congress raised the hurdle for hiring entry-level workers when it refused to delay the third step in a three-stage minimum wage increase last year. And the Department of Labor cracked down on unpaid internships, outlining six criteria that businesses had to satisfy in order to hire someone willing and able to work for nothing to get the experience.

For example, the employer must derive ''no immediate advantage from the activities of the trainees, and on occasion the employer's operations may actually be impeded.''

You can't make this stuff up.

RECESSION'S ADVANTAGE

At the White House briefing last week, Romer touted the leveraging of public investment with private funds, with $1 of Recovery Act funds partnering with $3 of outside spending. Romer said this public spending ''saved or created 800,000 jobs'' in the second quarter alone.

Once again, what would have happened in the absence of the government's targeted intervention?

According to a June 2009 study by the Kauffman Foundation in Kansas City, Missouri, well over half of the companies on the Fortune 500 list, and almost half of the fastest growing companies in America, were started during a recession or bear market. Dunkelberg calls this phenomenon ''negative push starts.'' People might not be willing to quit their jobs, but if they get laid off during a recession and were thinking about starting a business, they might seize the day, he said.

''When people ask me when the best time to start a company is, I tell them the day before the recession ends,'' Dunkelberg said. ''They can do it on the cheap, and the next day you get cash flow.''

MODEL THAT!

What's more, firms less than five years old are responsible for all of the net new jobs created in the U.S., the Kauffman study found. Job creation by start-ups is more stable, less sensitive to the business cycle.

So, if the goal is to create more jobs, and start-ups are the ones that create them, why is the Obama administration partnering up with existing firms?

''Job-creation policies aimed at luring larger, established employers will inevitably fail,'' said Tim Kane, Kauffman Foundation senior fellow in research and policy and author of a follow-up study released this month.

Not to worry. The White House has a model that turns failure into success.

I yield back the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the balance of my time.

A little while ago, George Bush said this. Several months after taking office, he learned that his budgets had already erased the previous administration's huge surplus that was paying off our country's debt at a rapid rate and had instead forced the country to start borrowing heavily again. Bush said, The huge deficit was incredibly positive news because it will create a fiscal straitjacket for Congress.

□ 1130

That's right, massive deficits were incredibly positive news.

Mr. Speaker, I got a little tired of hearing our colleagues saying what the Democrats haven't done. Let me tell you what we have done.

We have done the American Recovery and Reinvestment Act. We have done the Worker, Homeownership, and Business Assistance Act. We have done health insurance reform, Student Aid and Fiscal Responsibilities Act. The Cash for Clunkers Program alone spurred the sale of 700,000 vehicles.

We have done the Hiring Incentives to Restore Employment Act that helped create 300,000 jobs. When they talk in terms of the stimulus, the teachers, the police officers and the firefighters, when you ask them whether or not their jobs were saved, I guarantee you they will give you an answer.

We did Wall Street reform passed by the House, American Worker, State, and Business Relief Act passed by the House and Senate, Small Business and Infrastructure Jobs Tax Act passed by the House. For those on the other side who argue that there haven't been any tax cuts, there have been tax cuts, but those tax cuts were for middle class Americans, 93 percent of whom received the tax cut. We have done the Disaster Relief and Summer Jobs Act passed by the House, and it died over there in the Senate, and that's regrettable and foolish.

We have done Jobs for Main Street Act, passed by the House. What's next? Small business lending, clean energy jobs and the COMPETES Act. I can assure you, we have done a lot and have a lot more to do and many of the things that I just spoke of create jobs.

My colleagues see this legislation as a handout or a luxury, but to the millions who are depending on us to act, the extension of unemployment benefits will make the difference between whether they can put food on the table, pay their rent, and just get by.

Years of bad economic and fiscal policies have brought us to our present situation, and there is no switch we can throw to provide an instant fix. In my home State of Florida, 147,000 individuals will run out of unemployment benefits.

I haven't met these people, but I read about their plight, people like Joan McCammon of Kissimmee, a 50-year-old former administrative assistant who has been out of work for over a year. Though she and her husband tried to be prepared without this assistance, they will have to dip into their retirement savings just to make ends meet.

She is not much different from Pandora Evans of Fort Pierce in my congressional district who has been unemployed for almost 2 years after losing her job at a service station. Her benefits have run out and her bills piled up to the point she may soon be homeless.

And there is Joe Becker of Jupiter, Florida, who has applied for nearly 400 jobs, has put himself through additional training and is still unable to find work.

These are only three of the 3.2 million Americans who stand to lose unemployment compensation if we do not act positively. This is not mere charity for them.

I urge my colleagues to pass this much-needed extension and urge them to support this rule. I urge a ''yes'' vote on the previous question and on the rule.

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

The previous question was ordered.

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

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

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

The yeas and nays were ordered.

Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of House Resolution 1550 will be followed by a 5-minute vote on suspending the rules and passing H.R. 1469, as amended, on which the yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 237, nays 180, not voting 15, as follows:

[Roll No. 461]

YEAS—237

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

NAYS—180

Aderholt
Adler (NJ)
Akin
Alexander
Austria
Bachmann
Bachus
Baird
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Djou
Dreier
Duncan
Emerson
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves (GA)
Graves (MO)
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis

Lungren, Daniel E.
Mack
Manzullo
Marchant
Markey (CO)
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Turner
Upton
Walden
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)

NOT VOTING—15

Cantor
Capuano
Doyle
Fallin
Hodes
Hoekstra
King (NY)
Maloney
Murphy, Patrick
Ortiz
Quigley
Tiahrt
Titus
Wamp
Young (FL)

□ 1200

Messrs. HELLER, CARTER, and BAIRD changed their vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CHILD PROTECTION IMPROVEMENTS ACT OF 2010

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1469) to amend the National Child Protection Act of 1993 to establish a permanent background check system, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 4, not voting 15, as follows:

[Roll No. 462]

YEAS—413

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

NAYS—4

Broun (GA)
Flake
Graves (GA)
Paul

NOT VOTING—15

Brady (TX)
Capuano
Doyle
Fallin
Hodes
Hoekstra
King (NY)
Murphy, Patrick
Ortiz
Quigley
Rush
Snyder
Tiahrt
Wamp
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1212

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 5720

Ms. HIRONO. Mr. Speaker, I seek unanimous consent to remove my name from H.R. 5720.

The SPEAKER pro tempore (Mr. CUELLAR). Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

UNEMPLOYMENT COMPENSATION EXTENSION ACT OF 2010

Mr. LEVIN. Mr. Speaker, pursuant to House Resolution 1550, I call up the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes, with the Senate amendment to the House amendment to the Senate amendment thereto, and I have a motion at the desk.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment to the House amendment to the Senate amendment.

Senate amendment to House amendment to Senate amendment:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Unemployment Compensation Extension Act of 2010''.

SEC. 2. EXTENSION OF UNEMPLOYMENT INSURANCE PROVISIONS.

(a) IN GENERAL.—(1) Section 4007 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

(A) by striking ''June 2, 2010'' each place it appears and inserting ''November 30, 2010'';

(B) in the heading for subsection (b)(2), by striking ''JUNE 2, 2010'' and inserting ''NOVEMBER 30, 2010''; and

(C) in subsection (b)(3), by striking ''November 6, 2010'' and inserting ''April 30, 2011''.

(2) Section 2005 of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111–5 (26 U.S.C. 3304 note; 123 Stat. 444), is amended—

(A) by striking ''June 2, 2010'' each place it appears and inserting ''December 1, 2010''; and

(B) in subsection (c), by striking ''November 6, 2010'' and inserting ''May 1, 2011''.

(3) Section 5 of the Unemployment Compensation Extension Act of 2008 (Public Law 110–449; 26 U.S.C. 3304 note) is amended by striking ''November 6, 2010'' and inserting ''April 30, 2011''.

(b) FUNDING.—Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

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

(2) by inserting after subparagraph (E) the following:

''(F) the amendments made by section 2(a)(1) of the Unemployment Compensation Extension Act of 2010; and''.

(c) CONDITIONS FOR RECEIVING EMERGENCY UNEMPLOYMENT COMPENSATION.—Section 4001(d)(2) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended, in the matter preceding subparagraph (A), by inserting before ''shall apply'' the following: ''(including terms and conditions relating to availability for work, active search for work, and refusal to accept work)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Continuing Extension Act of 2010 (Public Law 111–157).

SEC. 3. COORDINATION OF EMERGENCY UNEMPLOYMENT COMPENSATION WITH REGULAR COMPENSATION.

(a) CERTAIN INDIVIDUALS NOT INELIGIBLE BY REASON OF NEW ENTITLEMENT TO REGULAR BENEFITS.—Section 4002 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended by adding at the end the following:

''(g) COORDINATION OF EMERGENCY UNEMPLOYMENT COMPENSATION WITH REGULAR COMPENSATION.—

''(1) If—

''(A) an individual has been determined to be entitled to emergency unemployment compensation with respect to a benefit year,

''(B) that benefit year has expired,

''(C) that individual has remaining entitlement to emergency unemployment compensation with respect to that benefit year, and

''(D) that individual would qualify for a new benefit year in which the weekly benefit amount of regular compensation is at least either $100 or 25 percent less than the individual's weekly benefit amount in the benefit year referred to in subparagraph (A),

then the State shall determine eligibility for compensation as provided in paragraph (2).

''(2) For individuals described in paragraph (1), the State shall determine whether the individual is to be paid emergency unemployment compensation or regular compensation for a week of unemployment using one of the following methods:

''(A) The State shall, if permitted by State law, establish a new benefit year, but defer the payment of regular compensation with respect to that new benefit year until exhaustion of all emergency unemployment compensation payable with respect to the benefit year referred to in paragraph (1)(A);

''(B) The State shall, if permitted by State law, defer the establishment of a new benefit year (which uses all the wages and employment which would have been used to establish a benefit year but for the application of this paragraph), until exhaustion of all emergency unemployment compensation payable with respect to the benefit year referred to in paragraph (1)(A);

''(C) The State shall pay, if permitted by State law—

''(i) regular compensation equal to the weekly benefit amount established under the new benefit year, and

''(ii) emergency unemployment compensation equal to the difference between that weekly benefit amount and the weekly benefit amount for the expired benefit year; or

''(D) The State shall determine rights to emergency unemployment compensation without regard to any rights to regular compensation if the individual elects to not file a claim for regular compensation under the new benefit year.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to individuals whose benefit years, as described in section 4002(g)(1)(B) the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note), as amended by this section, expire after the date of enactment of this Act.

SEC. 4. REQUIRING STATES TO NOT REDUCE REGULAR COMPENSATION IN ORDER TO BE ELIGIBLE FOR FUNDS UNDER THE EMERGENCY UNEMPLOYMENT COMPENSATION PROGRAM.

Section 4001 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended by adding at the end the following new subsection:

''(g) NONREDUCTION RULE.—An agreement under this section shall not apply (or shall cease to apply) with respect to a State upon a determination by the Secretary that the method governing the computation of regular compensation under the State law of that State has been modified in a manner such that—

''(1) the average weekly benefit amount of regular compensation which will be payable during the period of the agreement occurring on or after June 2, 2010 (determined disregarding any additional amounts attributable to the modification described in section 2002(b)(1) of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111–5 (26 U.S.C. 3304 note; 123 Stat. 438)), will be less than

''(2) the average weekly benefit amount of regular compensation which would otherwise have been payable during such period under the State law, as in effect on June 2, 2010.''.

SEC. 5. BUDGETARY PROVISIONS.

(a) STATUTORY PAYGO.—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, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on this conference report or amendment between the Houses.

(b) EMERGENCY DESIGNATIONS.—Sections 2 and 3—

(1) are designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111–139; 2 U.S.C. 933(g));

(2) in the House of Representatives, are designated as an emergency for purposes of pay-as-you-go principles; and

(3) in the Senate, are designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

MOTION TO CONCUR

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

The Clerk read as follows:

Mr. Levin moves that the House concur in the Senate amendment to the House amendment to the Senate amendment to H.R. 4213.

The SPEAKER pro tempore. The Senate amendment to the House amendment to the Senate amendment to the bill H.R. 4213 contains an emergency designation for the purposes of pay-as-you-go principles under clause 10(c) of rule XXI; and an emergency designation pursuant to section 4(g)(1) of the Statutory Pay-As-You-Go Act of 2010.

Accordingly, the Chair must put the question of the consideration under clause 10(c)(3) of rule XXI and under section 4(g)(2) of the Statutory Pay-As-You-Go Act of 2010.

The question is, Will the House now consider the motion to concur in the Senate amendment to the House amendment to the Senate amendment?

The question of consideration was decided in the affirmative.

The SPEAKER pro tempore. Pursuant to House Resolution 1550, the motion shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

The gentleman from Michigan (Mr. LEVIN) and the gentleman from Louisiana (Mr. BOUSTANY) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I shall consume.

Mr. Speaker and colleagues, this action should have occurred 2 months ago. This House acted to extend unemployment insurance on May 28. For 6 weeks Republicans in the Senate blocked unemployment insurance. They stood not on the side but in the way of millions of Americans. During those 6 weeks, over 2.5 million unemployed Americans exhausted their benefits, and they struggled to stay afloat while continuing to look for work in this difficult economy.

Americans like this person from Grand Rapids, Michigan, who wrote me, and I quote, ''I worked 22 years in automotive, 60 to 70 hours a week, supported my family, paid my taxes, and worked in my community. Every single day I send my resume out, to no avail. I have lost my home, one vehicle, and my sense of the ability to take care of my family.''

Or this individual from Madison Heights, Michigan. ''My family is not living large; we are surviving. Cutting unemployment insurance will take us out of survival mode and put us into homeless mode. After working 20-plus years, this is the first time that we have asked for unemployment.''

And to add insult to injury, after their filibuster was broken, Senate Republicans insisted on running out the clock and delaying the full 30 hours before they would let a final vote occur in the other body. Thirty hours for nothing. No excuse of theirs worked for working Americans out of work, out of work through no fault of their own and looking for work.

We have acted to extend unemployment insurance in Republican Congresses under Republican Presidents. So today we put this sad chapter behind us, and now we move forward to continue our efforts to support job creation and to continue to dig out of the jobs ditch inherited by this administration and by this Congress.

I reserve the balance of my time.

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

Mr. Speaker, my State of Louisiana has faced four hurricanes, a recession, and now an oil spill. And every one of us in this body has faced and looked into the eyes of those who lost their homes and lost their jobs. And every one of us in this body feels deep compassion for those who are in those dire straits. And we all want to help. Republicans want to help those looking for work, we want to help those who are struggling with this current economic slowdown, but we also agree with the American people that new spending must be paid for.

□ 1220

This latest unemployment insurance extender bill fails to do what the American people want us to do. Instead, the Democratic approach adds another $34 billion to the already staggering $13 trillion national debt. And that's not because we have a shortage of ineffective, inefficient, wasteful spending that we could cut to offset what's needed to pay for this. We want to do this, but we want to do what the American people want us to do—and that is to pay for it.

Republicans have repeatedly called for the cutting of unspent stimulus spending to offset this new stream of spending. The majority leader himself, Mr. HOYER, said on June 13, there is ''spending fatigue'' across this country and that ''if we have dollars not yet expended in the recovery act'' that they should be redirected for new spending such as this.

Mr. Speaker, 18 months ago the administration told the American people that their trillion-dollar stimulus plan would create millions of jobs and keep unemployment below 8 percent. Instead, 2 million jobs more have been lost and unemployment surged to nearly 10 percent. Overall, 47 out of 50 States have lost jobs since the Democrats' February 2009 stimulus bill, including my home State of Louisiana.

Instead of supporting this economy and getting Americans back to work, jobs have been lost, our debt continues to spiral out of control, and the only solution we have here, without an ability to amend, without an ability to offer some alternative approach, is to add another $34 billion in new spending without offsetting it. New spending is unnecessary, and Republicans have been calling for this wasted stimulus money to be put to better use by supporting the long-term unemployed. I suggest the best way to create jobs is to stop destroying good-paying jobs that already exist. And let me explain what I mean by that.

This is the single most important issue in my home State of Louisiana. The people of Louisiana are facing job loss. In addition to a failed economic policy, a failed stimulus, President Obama's ill-conceived and unwarranted and—in the words of a Federal judge—arbitrary and capricious ban on offshore drilling is galvanizing residents across the gulf coast like I've never seen before. And the long term implications of this, Mr. Speaker, are real. Real lives are affected by this.

Because of this policy, tens of thousands of good-paying jobs along the gulf coast are immediately at risk, and it doesn't have to be this way. But unfortunately, the elites in this administration and the President himself refuse to understand this.

Six weeks ago, the Louisiana delegation—the entire delegation, Democrats and Republicans, House and Senate—requested a meeting with the President in writing. And we have not even gotten a response back. Frankly, Mr. Speaker, that's just unacceptable, and it's irresponsible.

Already three gulf rigs have left American waters heading to other parts of the world, and the trend is going to continue at an accelerated rate. And once a rig is gone, it could be years before it returns—if it ever returns at all. Each one of these deepwater rigs employs 1,400 workers. You take 1,400 workers and multiply it by six, and those are the immediate support workers. These are jobs that are being lost.

And smaller companies that cannot afford to move are simply losing their workers. People are losing their jobs, costing thousands of jobs.

I met recently with about 35 companies. These are all small companies affected by this. And there was an African American couple. He got started doing janitorial work. And he worked very hard for years to do this, saved his money and started a small business, an oil service company that he was so proud of. The American dream, by God. He started this company and grew it to 20 workers. And he had accelerating work until this ban on drilling, and now he has no work, and he's seeing his life savings go down the drain. Why? Because of an ill-founded, government-imposed moratorium that makes no sense.

These are rig workers and energy engineers, they're plumbers, they're electricians, they're dock workers. They work in the maritime industry. And yet this is the kind of policy we're getting. This ban hurts everybody. We stand united on the gulf coast to support good-paying jobs.

This stimulus has failed, and it's time to direct these funds into more beneficial areas to help those who are chronically unemployed.

The last time this House acted, Mr. CAMP, the ranking member of our Ways and Means Committee, offered a motion to extend these benefits while paying for the spending by using unspent funds from the failed stimulus bill. The House could immediately act on that same type of provision today with the Senate following suit to get these benefits to the long-term unemployed in a way that helps the economy, job creation—instead of hampering job creation even more.

That is what we should be doing and what would most help the unemployed get benefits that they need today and the jobs that they need tomorrow.

The American people want President Obama and this Congress to spur entrepreneurship and American competitiveness and to create good-paying jobs. Instead, the President and this Congress continue on a path of increasing uncertainty leading to high unemployment and runaway spending. I urge my colleagues to vote ''no'' on this bill.

I reserve the balance of my time.

Mr. LEVIN. It is now my very distinct pleasure and privilege to yield 1 minute to the most distinguished Speaker of the House, NANCY PELOSI.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding. I thank him for bringing this important legislation to the floor today. And indeed, there is some good news in it, but there is some not-so-good news in it as well.

I listened very attentively to the previous speaker talk about why these unemployment benefits had to be paid for, and I was struck by the inconsistency in his remarks and that of the Republicans in the United States Senate and in the House of Representatives. It's important to note that while they demand that these benefits be paid for—$34 billion in unemployment benefits going to those who have played by the rules, worked hard, who are unemployed through no fault of their own, $34 billion, which injected into the economy will indeed create jobs—while they have said that $700 billion of tax cuts for the wealthiest people in America shouldn't be paid for. ''Inconsistent'' is the politest word I can use to describe that.

Thirty-four billion dollars for those who have lost their jobs through no fault of their own.

Last week the Economic Policy Institute released a report making it clear that not only do unemployment benefits protect those who have lost their jobs through no fault of their own, but would lead to more jobs, higher wages, and a stronger economy for all Americans.

And why is that so? That is so because these benefits are given to people who need them. The money will be spent immediately on necessities injecting demand into the economy, creating jobs. In fact, the Economic Policy Institute figured that would be 1.4 million jobs relating to the unemployment benefits that are out there now.

The Congressional Budget Office which is independent and nonpartisan has confirmed that extending unemployment benefits is the most efficient way for the government to generate economic growth.

Now, I know why the gentleman may want to change the subject to other things. He mentions Katrina. We all supported Katrina. Did anybody talk about paying for that emergency? No. It was an emergency. We have a compact with the American people in the time of a natural disaster—even though that disaster was exacerbated by cronyism in the Bush administration.

But let's not go there. Let's just stay on this subject. And the subject at hand is when this bill was introduced today, this resolution, I'm sure you all heard that it was an amendment to an amendment. Well, the Senate amendment that we are voting on, the amendment that they put in took out the jobs initiatives. And those initiatives were paid for. Build America Bonds. That was part of the original bill, to build the infrastructure of America, the highways and infrastructure of America in a new green way creating new green jobs and new green technologies. And the Build America jobs that went beyond those investments; FMAP to stabilize our State economies.

Thirty States have written their budgets already on the basis of this funding being in the legislation and paid for—not increasing the deficit. We passed it in December. The Senate only now is sending it back to us because the Republicans have objected to that, and the amendment to the amendment eliminates that stability for States.

□ 1230

Summer jobs, well, it's too late for summer jobs, so youth jobs. In December, we passed the bill for summer jobs for America's youth. The amendment to the amendment takes out those youths. And they were paid for, because on the one hand they say everything has to be paid for. Well, when it's paid for, then are they just plain opposed to summer jobs for youths? Are they opposed to Build America Bonds to grow our economy and meet the needs of our country infrastructure-wise?

The Housing Trust Fund, very, very important initiative.

Concurrent receipt: I don't think there's any doubt that every person in this Congress supports our veterans. One issue that is a high priority for America's veterans when we meet with them on a regular basis is the issue of concurrent receipt. You may not be familiar with that term, but it's a disability tax on our veterans, and with so many veterans returning home with disabilities from Iraq and Afghanistan this is very, very important. It was in the bill. It was paid for. Again, money given to people who need it for necessities who would spend it, inject demand into the economy and create jobs. So the amendment to the amendment that the Senate Republicans would finally let pass in the Senate removed concurrent receipt, paid for, for our veterans.

The list goes on and on, a list of paid-for initiatives that benefit our veterans, grow our economy, create jobs, help our workers, help our young people, stabilize our States, all paid for. The Republican Senators said ''no,'' and they held up this particular amendment to the amendment for over 6 weeks because they said it had to be paid for.

At the very same time, they were saying we must pay for $34 billion for benefits for the unemployed but we don't have to pay for the $700 billion for the wealthiest people in America to have tax cuts. Those same tax cuts, during the 8 years of the Bush administration, did not create jobs; they increased the deficit. And the Republicans have said they want to go back to the exact agenda of the Bush administration. They look with increased fondness on the Bush administration.

Well, let me say this here today. The good news about this is finally our unemployed will get their benefits. It will be retroactive. It's really sad that it has to come to this. Nonpaid-for tax cuts for the rich; paid-for benefits for our workers.

But it's important to note, contrary to what you might hear from some in this Chamber, that in the first 8 months of the Obama administration, more jobs were created—well, by the time we finish August, more jobs will have been created than in the 8 years of the Bush administration. While they increased the deficit by trillions of dollars, while we lost jobs, where they took us to a brink of financial crisis of our financial industry, where they took us deep into recession, where they took us deep into deficit, they want to return to the exact same agenda.

We are not going back and our step forward into the future, one step into the future is being taken today when we say to American workers, You have played by the rules. You have worked hard. You have lost your job through no fault of your own. You have these benefits, but we must do more to create jobs, to create more jobs.

I urge our colleagues today to understand how important this is, the distinction between those who support our workers. Respect the contract that we have with them so that when the economy ebbs and flows and the cycle of employment and unemployment is not in their favor, that we will be there for them. And being there for them is not just about them. It's also about the entire economy, the entire economy. The economy cannot flourish and be entrepreneurial unless it knows that there's a safety net in case the economy comes down.

The Republicans are saying ''no'' to that. They've said ''no'' over and over again, and they're saying ''no'' today unless it is paid for, again, while they still say, We want tax cuts for the wealthiest, $700 billion worth, 20 times more than this bill for unemployment insurance.

But don't forget what they took out of the bill and don't forget that that includes concurrent receipt for our veterans.

I urge our colleagues to proudly vote for this legislation.

I commend my colleague Mr. LEVIN for his hard work on this and other legislation, and I know, because it's absolutely essential, that at some point we will get a jobs bill that will come back from the Senate. We agree that it should be paid for. We've sent it over to them paid for, and that they will recognize that we need to create jobs, good-paying jobs that take us into the future and, most of all, that we're not going back to the failed economic policies of the Bush administration.

I urge a strong ''aye'' vote on both sides of the aisle.

Mr. BOUSTANY. Mr. Speaker, this is the eighth time this unemployment benefit insurance is extended. I think that, in and of itself, speaks for the failure of the economic policies.

Secondly, a massive tax increase in the face of economic uncertainty is only going to hurt economic growth and job creation, and on our side of the aisle, we'll work to find the offset to avoiding these tax increases on the American people.

And finally, I just want to point out that private sector growth in the year 2010, the rate of private sector growth has actually been slower than what we saw in the Great Depression.

I am pleased to yield 4 minutes to the gentleman from Georgia (Mr. LINDER), the ranking member on one of the subcommittees of Ways and Means.

Mr. LINDER. I thank the gentleman for yielding.

Mr. Speaker, we are here today to consider legislation paying another $34 billion in unemployment benefits. The other side says that these unemployment benefits stretching to almost 2 years are needed and must be added to the $13 trillion debt, even as they claim their trillion dollar stimulus plan has been a success at creating millions of jobs. It makes you wonder if they are looking at the same jobs data as the rest of us.

Eighteen months ago, this administration said the stimulus would create 3.7 million jobs. It hasn't. Through June of 2010, the United States lost 2.6 million more private sector jobs, leaving millions of Americans to ask: Where are the jobs?

The administration also promised that the stimulus would keep unemployment below 8 percent. It hasn't. Instead, unemployment reached 10 percent and remains stuck near that level today, and that ignores millions of missing unemployed left out of the official statistics.

The administration also said that the administration would create mostly private sector jobs. It didn't. Managing all that spending helped government jobs grow by 201,000 since the stimulus was passed, which has made Washington, DC, the Nation's strongest job market. Meanwhile, in the rest of the country, 47 out of 50 States have lost

jobs since the Democrats' February 2009 stimulus.

While the job situation seems to have finally stopped getting worse, things are not getting much better. The trickle of private sector job creation in 2010 is so anemic that, at the current rate, it would take until 2017 to recover the jobs lost during the recession. That's longer than it took to recover the jobs lost during the Depression of the 1930s. Another estimate finds it will take until 2021 to get unemployment back to prerecession levels. Who knew that the administration's recovery summer would last a decade or more.

The fact is the only thing the Democrat stimulus has succeeded in creating is an enormous mountain of debt which is already hurting job creation. The bill before us will only make that worse.

□ 1240

Unemployed workers want real jobs with real companies in a real economy, not 2 years of unemployment benefits. But all this Congress offers is more debt and ultimately more pink slips. It is hardly what the unemployed need.

I urge Members to oppose this bill and insist that any further spending is actually paid for. If the Speaker is right that unemployment benefits are the most stimulative thing we can do, then it will help the economy to cut other less-effective stimulus spending and use it to pay for benefits like these.

That is the sort of budgeting, if we were inclined to pass a budget, that we should have been doing all along and is the only hope for turning this economy around and actually creating jobs that all Americans want and the unemployed need most of all.

Mr. LEVIN. Mr. Speaker, I yield 4 minutes to the gentleman from Washington (Mr. MCDERMOTT), our subcommittee chair.

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

Mr. MCDERMOTT. Mr. Speaker, when most of our Republican colleagues vote ''no'' against extending unemployment benefits for Americans today, these people who have lost their jobs through no fault of their own, they will say they are doing it out of concern for the deficit. But, in reality, they are simply trying to make the President fail at any cost.

We have precedent here for that. Back in the 1990s, when Newt Gingrich ruled this place, they thought the American people were stupid, but it didn't work then and it won't work now.

In December 1995, Newt Gingrich thought he could win the Presidency for the Republican Party by shutting down the government and proving that Bill Clinton was ineffective.

You all remember that. Instead, the American people caught on to this foolishness and overwhelmingly reelected Bill Clinton to office in 1996.

Now they have got the same play book again; they are running it again. The Republican leadership in Congress has decided that the way for the Republicans to get the White House back is by denying unemployment benefits to workers who have lost their jobs through no fault of their own. Show them that this government doesn't work. For over 6 weeks they have held displaced workers as hostages.

Now, you would think they would have learned from Gingrich back in 1995. It doesn't work. He only held the country hostage for a few days, and then he gave it up because people need to look at what the Senate Republicans are doing in the other body to see exactly what they are doing again today.

Even after the Senate broke the Republican filibuster on restoring unemployment benefits 2 days ago, the Republicans insisted on running out every minute of time left on the clock before allowing a final vote on this bill.

They wanted to dangle those workers out there for yet one more day. They wanted them to sit at home and wonder is it going to happen. How am I going to feed my kids? Can I pay for my house? For families who are without income and rely on unemployment benefits to make ends meet, every day counts.

Republicans clearly couldn't care less, and they forced these unemployed workers to twist in the wind for one more day. This is a slap in the face to millions of Americans who are struggling to find work and rely on unemployment benefits as a lifeline.

This effort to undermine the effectiveness of President Obama by denying unemployment benefits to workers, and by denying the President the power to create jobs, will ultimately fail. Republicans have done nothing more than help ensure that Mr. Obama will be elected a second time.

Good move, guys. The American people will remember and despite what the Republicans think, the voters are not stupid. They don't want the ghost of Newt Gingrich running this country, and they don't want to return to the failed economic policies of President Bush.

They know that they want this government to help people when they need help, and they know that they didn't lose their job because they did something wrong. Greed on Wall Street got them. They are suffering because of that greed which we dealt with a couple of days ago, but they need a check to pay the rent and pay for food.

Mr. BOUSTANY. Mr. Speaker, just to briefly respond to the previous speaker, we want to look forward. We don't want to look back. We don't want a cynical look to the past; we want a positive vision to the future for the American people, which means we want to go along and promote growth in the economy and do an extension of unemployment benefits in a responsible way by paying for it, eliminating wasteful spending in the stimulus package as the offset.

I am pleased to yield 2 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE), a member of the House Ways and Means Committee.

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman.

Mr. Speaker, I rise in support of the 15 percent of my constituents who have lost their jobs, but I also rise in support of the 85 percent who are struggling to hold onto their jobs.

Deficits do matter. Debt matters. What we have seen in the threat of default in Greece and what that did to the world economy and our own economy is similar to what we may be entering into. Given our tremendous reliance on borrowing, a similar loss of confidence in the United States would be devastating.

The administration may have its cheerleaders and spinmasters out in front telling all the cameras how swell everybody is going to be despite the work ahead; but businesses, those very entities that actually do the hiring, the innovating and the investing, aren't buying. They don't have a political motivation behind their analysis. It's simply reality as they see it. Small businesses are not confident about where this country is headed and neither are their customers.

Presidents can actually have a huge influence on consumer confidence; but every time this President gives a speech threatening American entrepreneurs, he makes things worse. As for debt, I understand the very childish playground temptation to point fingers and names and say, well, you borrowed too; but I also understand that businesses and consumers don't care about that because it doesn't fix the problem.

All we ask is that the unemployment, something we all agree on, be paid for using funds already obligated for the economic recovery. We and the American people point out—and not so subtly at times—that the way you are using the stimulus money is simply a waste of time, effort, and certainly money.

Borrowing more when it pushes us ever closer to the edge, just to continue spending money on self-serving stimulus road signs, is certainly unacceptable to them and is unacceptable to me.

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

Mr. BOUSTANY. I yield the gentlewoman an additional 20 seconds.

Ms. GINNY BROWN-WAITE of Florida. I am sorry that the other side refuses to compromise, but that's where we are today. Americans want us to pay for this bill and not borrow another $34 billion.

GENERAL LEAVE

Mr. LEVIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on my motion.

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

There was no objection.

Mr. LEVIN. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New York (Mr. RANGEL).

I also ask unanimous consent that Mr. MCDERMOTT, the subcommittee chair, be allowed to control the balance of the time.

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

There was no objection.

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

Mr. RANGEL. Thank you, Chairman LEVIN, for giving me this opportunity, and again to Congressman MCDERMOTT for working so hard to try to protect those people who have lost their opportunity to take care of their families because they have lost their jobs.

□ 1250

I think we're hearing too much about Republican and Democrat today. We certainly are hearing too much about oil drilling and other issues. But as we go home, as Members of Congress, I don't think people come up and say I'm a Democrat and I need help or I'm a Republican and I need help; they say I need a job. I'm willing to do anything. I'm losing my dignity and my self-esteem. My daughter was in college, and I had to tell her that she won't be able to go back. I keep ignoring my creditors' calls because I lost my job. There were so many dreams and aspirations that I had for me and my family, so many hopes that I thought in this great country I could fulfill. I thought it because I thought I was on the road to economic success. I knew I was doing better than my parents, and I had hoped so dearly that my kids would be able to say they would do better than me. Those that have finished school can't find jobs, can't afford homes. Families have consolidated, they have limited resources.

The greatest thing about this wonderful country is that you don't have to be successful if you really trust and hope that you can be successful. It's not like other countries where you're stuck where you were born and you can't aspire to do better. But we are reaching that point where Americans have lost faith in our financial centers. They've lost faith in terms of insurance health providers. God knows they've lost faith in the Congress. But when they start losing faith in themselves, that's when our country is in trouble. When they start believing that they cannot make it, that they're losing their dignity, that they're unable to put food on the table, provide shelter for their families, provide hope for their kids, America is losing something that we may not be able to recover, notwithstanding what happens from our economy.

How can people talk about deficits and pay-fors when a person is just asking for a little help? What difference does it make if we're able to take the $30 billion—it's not spending, it's an investment. It's an investment not in foreigners, not in protecting democracy, it's an investment in people who love and want to work. I think, Mr. Speaker, we ought to give them an opportunity, because in taking care of their needs, they take care of our small businesses too.

Mr. BOUSTANY. Mr. Speaker, yes, it is an investment, but it is one we can pay for. And that's the sad state that we're in today because we are being refused the ability to even offer those kinds of amendments.

Mr. Speaker, I yield 4 minutes to my friend, a member of the Ways and Means Committee, the gentleman from Nevada (Mr. HELLER).

Mr. HELLER. I appreciate the gentleman's yielding time. And the answer to his statement is, it's absolutely correct, this can be paid for.

I come from a State, the State of Nevada, that has 14.2 percent unemployment, and these are very, very tough times. During the rules hearing, I submitted legislation that would actually pay for this piece of legislation. We can pay for it. It's not that the majority can't pay for it, it's that they don't want to pay for it. In fact, if you take a look at November 2009, facing the Unemployment Insurance Extension bill, back then in 2009 it was fully paid for, and the administration itself came out and supported a bill that was paid for. And at the time, unemployment was higher than it is today nationwide. Don't tell me the administration doesn't think this ought to be paid for. If they wanted to pay for it at 9.8 percent, why don't they want to pay for it today?

I want to speak a little bit about the failed stimulus bill because I think some general questions were pointed my way during earlier debate, and that is whether or not the stimulus bill has actually worked. We've lost 2 million jobs in this country since the stimulus bill was passed. Forty-seven of 50 States have lost jobs since this Democratic-crafted stimulus bill. And it's no wonder that in recent polls more Americans think that Elvis is alive than this stimulus bill has worked. That's failure.

Nevada's unemployment, Clark County unemployment has gone up 40 percent. That's indisputable, and that's failure. Take Clark County alone; there are those who say the stimulus is working in Las Vegas; yet just last month almost 3,500 people filed for unemployment benefits. Take since the stimulus down in Las Vegas, nearly 40,000 people have lost their jobs in Las Vegas. Tell me the stimulus is working in Las Vegas. Take Nevada as a whole. Just last month 4,100 people filed for unemployment claims. Take the State since the stimulus: Since the stimulus, almost 50,000 people have lost their jobs in Las Vegas. Tell me that the stimulus has worked in my district. I will debate anybody on this, and I'll wait for my phone to ring.

I will just talk a little bit about the fact that in Nevada our unemployment level is 50 percent higher than the national average. If we had the national average in the State of Nevada, there would be 60,000 fewer unemployed Nevadans right now. However, there is one place in America where the stimulus has worked, and I'll give the other side credit for this, and that's Washington, D.C. Government jobs have grown by 201,000; 201,000 jobs have been created in Washington, D.C., since the stimulus was passed.

Some have alleged or believe there are no unobligated stimulus funds, and I don't agree with that. We can use unobligated stimulus funds. Go to www.recovery.gov, the administration's own Web site. Take a look at their Web site. They will show you that half of the stimulus funds at this point have not been spent. Can't we take $34 billion of more than $300 billion that's in unused stimulus funds to pay for this unemployment extension? That would be the right thing to do. I think that our children and grandchildren's future are worth a dime on the dollar; some apparently don't.

Mr. MCDERMOTT. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. NEAL).

Mr. NEAL. I thank Mr. MCDERMOTT.

I stand in full support of this emergency legislation that will restore the safety net to millions of American families. Those families have been waiting for this relief since June. Their faith in us has been tested, but today we are going to extend the help that they need.

I have spoken many times on this floor of the legendary mayor of Boston, James Michael Curley, a great orator. Curley spoke with great empathy about the forgotten man, and that's whom we're talking about today, the forgotten man and the forgotten woman, those individuals who have worked hard and played by the rules and have every reason to believe that America ought to provide them assistance in this difficult time.

He also would suggest that, in simplicity, the great ally of our civilization was a full stomach. We need to be reminded of that grim economic statistic for those who are outside the mainstream.

Let me also remind our friends here on the other side, in record time, in October of 2008, this Congress came to the aid of Wall Street. It didn't take us long to embrace the Troubled Asset Relief Program of George Bush to keep standing many of those institutions that helped create the problem that we currently find ourselves in.

There are millions of people, those who have served in Vietnam, those who have served in Afghanistan, and those who have served in Iraq and other theaters around the world, who are struggling in this economy. America is about building a community, a place where no one wants to be abandoned and no one wants to be left behind.

The great bounty of God's work has been to ensure that people in America, regardless of their political differences, have enough to eat and shelter. This opportunity to extend unemployment benefits for the American people ought to meet this moment, and I urge adoption of this measure.

Mr. BOUSTANY. Mr. Speaker, in addition to what Mr. HOYER said about using the unused stimulus funds, Mr. OBEY has hailed amendments to the Supplemental Appropriations bill made on July 1 that were paid for by repeatedly cutting unspent projects in the stimulus law. And in the other body, the chairman of the Senate Finance Committee, Mr. BAUCUS, has suggested the same. And that's what we're saying here. There is a better way to do this, a fiscally responsible way to not only take care of the forgotten man and woman today, but to prevent even more from being forgotten in the future.

□ 1300

Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Louisiana (Mr. SCALISE). Mr. SCALISE and I have worked together on American competitiveness, trying to achieve energy independence to meet our national security needs and to grow jobs.

Mr. SCALISE. I thank my colleague from Louisiana for yielding time.

Mr. Speaker, a year and a half ago, the liberals running Congress passed the stimulus bill, claiming they needed to add another $787 billion to the national debt in order to keep unemployment below 8 percent. Of course, now, a year and a half later, unemployment is approaching 10 percent.

Their first plan failed miserably, so regarding unemployment, they are coming with a plan to add another $34 billion to the national debt that they don't want to work with us on to at least pay for by using some of that failed stimulus plan. In fact, they are still trying to defend the stimulus plan that most Americans recognize only grew the size of government and which did nothing to help stimulate the economy. The sad irony of this is that millions of American people are unemployed as a direct result of the policies of this administration.

A very real example is occurring right now in south Louisiana. Just yesterday, there was a rally in south Louisiana where over 10,000 people showed up to oppose this arbitrary and capricious ban by President Obama on drilling in the gulf.

They try to hide behind safety and pit it as safety versus jobs. In fact, the President's own safety commission he appointed after the explosion of the Deepwater Horizon said that the moratorium is a bad idea. They went on to say that this moratorium will decrease safety in the gulf. That's right. This is the moratorium that the President, himself, imposed, which is costing our State thousands of jobs and thousands more people to be on unemployment, people who would much rather have jobs than the unemployment checks that President Obama is offering them. Their jobs have been taken away from them by the President, yet not for scientific reasons but for political reasons, because the President's own scientists say the moratorium is a bad idea and will decrease safety.

In fact, as my colleague from Louisiana pointed out, our entire delegation has been trying for 6 weeks now to meet with the President to discuss this ill-conceived idea, and he refuses to meet with us. Though, you still have hundreds of people each week being added to the unemployment rolls because of the President's policy.

What the President needs to do is actually work with us to create jobs instead of continuing to push policies that are running people onto the unemployment rolls, putting more jobs overseas and putting our country at greater risk of energy dependence. Our energy supply hasn't decreased, but now you are going to actually have more oil imported from these Middle Eastern countries that don't like us. By the way, 70 percent of all oil spills come from tankers importing oil.

Now the President has just made our country more dependent on that imported oil with the addition of his ban on drilling. That is creating more unemployment in our State. These policies are wrecking our economy.

What we need is to create jobs. Part of that means you put good policies in place that help create jobs so that people don't continue to go on the unemployment rolls because of the Obama policies. That is what we need to do is to get a different agenda. The American people are saying, Where are the jobs? All they get is more deficit spending from this administration.

They just don't get it.

Mr. MCDERMOTT. Mr. Speaker, I can't help but respond to the change of subject from the gentleman from Louisiana.

I guess fishermen aren't worth anything. Fishermen are worthless. All that sea stuff that comes up and that they sell all over the place, they don't care about that. All they want to do is drill for oil. The President is careful and prudent and says let's look at this drilling before we go on with it because we have just proven that the oil companies are reckless. They have proven it for 79 days in the gulf, and if you can't learn from that and realize what it is doing to crabbers and to shrimp fishermen and to oystermen, then you have missed the point.

I yield 2 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, people all over Illinois and all over America are waiting with bated breath, and they are waiting to pay utility bills, to pay house notes, to make mortgage payments, to catch up on their rent, to pay college tuition, and to buy food for their children.

They are also waiting to say, ''Thank you, Nancy Pelosi.'' They want to say, ''Thank you, Harry Reid.'' They are waiting to say, ''Thank you, United States Congress.'' They want to say, ''Thank you, Barack Obama, because the action that you just took this day means to us that you are working for us. You have reinforced our confidence in our government. You have said to us that we do matter.'' I know that the people of Illinois will be saying, ''Thank you, our government.''

I urge passage.

Mr. BOUSTANY. Mr. Speaker, I have to respond to my friend from the State of Washington.

I would say that I would not have the audacity to speak for the people of Washington, because I haven't had the chance to actually get to know them. I can tell the gentleman that I do know the fishermen, the oystermen, the shrimpers, and those who run boats down in my State of Louisiana.

If they were here on the House floor today, they would say, ''Please do not kick us when we're down. Lift this ban on drilling because, if not, it is going to kill our economy.'' These are the same fishermen and oystermen and shrimpers who are losing their jobs.

That's why we need sensible policies, Mr. Speaker. We are all for extending the unemployment benefit insurance, but we know we can do it in a responsible way—by paying for it with unspent stimulus money.

I reserve the balance of my time.

Mr. MCDERMOTT. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, with almost half of the unemployed out of work for more than 6 months, I am extremely disappointed that partisan bickering has delayed this important relief to American families.

I want to share with you what one of my constituents wrote to me.

He said, ''I've worked all my life and supported myself and didn't ask for any special treatment. There is pride that comes from work . . . No one is more ready and willing to work than me . . . but there just isn't any.''

Since the lapsing of unemployment benefits, millions have lost the benefits which are keeping their families in their homes and food on their tables, but what we and people may not know or really appreciate is that this also includes tens of thousands of former servicemembers and reservists who have returned home to find themselves without work.

How, I ask you, Mr. Speaker, does prohibiting them from being able to pay their electric and grocery bills help our economy recover?

I urge my colleagues to join me in strong support of this extension.

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

Mr. MCDERMOTT. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Let me thank the gentleman for yielding and for his steady and undying support for people

who really have had a very tough time and who have not had any opportunities for many years now.

Thank you, Mr. MCDERMOTT, for your leadership.

Mr. Speaker, I've been listening to the debate here about jobs. We, too, are asking, Where are the jobs?

From what I remember, there were very few Republican votes for the many job creation bills which Democrats have passed. So, if you are not going to support a real jobs initiative, I can't understand, for the life of me, why in the world you won't support just the basics for people, just a bit of help for those who have no jobs and for those who you won't help get jobs.

Support for unemployment compensation speaks, really, to who we are as a country. This is a moral and an ethical issue of which those who really care about the least of these should support. People have lost their jobs for a variety of reasons—primarily, yes, due to the economic policies of the previous administration. We know many people who have lost their jobs due to their not being able to find work in this new economy. People have lost their jobs because their communities have been shut down as a result of the foreclosure crisis. They have lost their homes. They have lost their jobs. They have no health care.

What in the world is going on in our country?

Some of us really get it in terms of the economic policies and what we need to do, but until we make the case in a way that Republicans get it, the least we could do is just help people pay their rent and, for those who still have mortgages, help pay their mortgages and, for those who don't have enough food, basically buy food for their kids.

We can't even get the Republicans to support a youth jobs initiative. My goodness. You know, we have over 40 percent minority youth—African American and Latino youth—who are unemployed. These young people need jobs. They need jobs not only to develop their work skills and work experience, but they have to help their families put food on the table and pay the rent.

□ 1310

So for goodness sakes, just help these people survive and weather these storms right now, because they need something to get through this. Otherwise, we're going to see a country that we all don't want to see, one that we don't recognize, one that does not care about the common good. And this is about the common good. We all have a duty and responsibility to make sure everyone at least is able to survive through these very terrible times.

Mr. BOUSTANY. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. HENSARLING), who serves on the President's Fiscal Responsibility Commission.

Mr. HENSARLING. Mr. Speaker, indeed, this is the difference between the two parties here today. As I've listened carefully to the debate, I haven't heard anybody say we shouldn't be extending unemployment benefits.

What I have heard is that one side wants to borrow 43 cents on the dollar, mainly from the Chinese, and send the bill to our children and grandchildren. Those are my friends on the Democratic side of the aisle.

On this side of the aisle, we're saying, you know, all the trillions of stimulus money, the $1.2 trillion, when you add in the interest factor, those unspent funds, maybe some of the unspent TARP funds, these programs that have helped continue to mire us in almost double-digit unemployment, maybe we could use some of those funds instead and not add to the single largest debt in America's history that's only getting worse under their watch, Mr. Speaker. That's the primary difference here today. And we must show that we are a fiscally responsible Congress today to create jobs.

Ultimately, the people in America don't want more unemployment checks. They want more paychecks. And it's the policies of this President, the policies of this Congress, brought about by the Federal takeover of health care, brought about by this huge permanent Wall Street bailout bill, where the ink is barely dry, the threatened cap-and-tax bill, and the massive debt that we're drowning in.

Under the President's own budget, we will be paying almost $1 trillion a year in interest alone on the national debt. I mean, that's the kind of policies that our distinguished Democratic majority leader at one time likened to fiscal child abuse. And so I haven't heard that rhetoric recently, but I hope he still believes it because that's what we're engaging in.

So I do not understand why my friends on the other side of the aisle refuse to pay for this. I certainly hear the phrase ''pay-as-you-go'' frequently. I just don't see it practiced.

And, indeed, I do serve as one of the Republican appointees on the President's Fiscal Responsibility Commission, many of whom consider that title to be an oxymoron. We will debate that later.

But the chairman, Erskine Bowles, former chief of staff, Democratic chairman, former chief of staff to President Bill Clinton, has said that our debt is a cancer that can destroy us from within. This isn't Republican verbiage. This is Democrat verbiage.

So why do the Democrats refuse to pay for this? Why do they continue to engage in what the majority leader once termed fiscal child abuse?

Again, that's where the debate is. The debate is, Are you going to pay for the unemployment insurance, or are you going to take the burden and put it on our children and grandchildren yet again? That is unconscionable, unsustainable, and it ought to be immoral.

Mr. MCDERMOTT. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), the majority leader of the House of Representatives.

Mr. HOYER. Mr. Speaker, the timeliness of my opportunity to speak is sometimes good, and I think this is one of them.

Mr. HENSARLING just spoke. I have great respect for Mr. HENSARLING. He works hard. He focuses. He's philosophically well-grounded, and he follows his philosophy. I disagree with his philosophy, his fiscal premises. And his fiscal premises that were part of the last administration's approach to the finances of this country increased our deficit by 87 percent, from $5 trillion, essentially, a little over $5 trillion, to a little over $10 trillion. They didn't quite double it, but 87 percent more debt under the Bush administration.

That I called fiscal child abuse. Why? Because it was not done at a time of fiscal crisis with large unemployment. That unemployment was caused by the policies of the last administration.

Why do I say that? Because under the Clinton administration, we created 21 million jobs in the private sector, just a little short of 21 million jobs, 22.8 overall, when you include public employment.

And during the Bush administration, how did it relate to that 20.1 million new jobs in the private sector? One million. How did it relate per month to job production? 216,000 under the Clinton administration, and 11,000 per month under the Bush administrations. That's what their economic policies wrought. Their economic policies of cutting deeply, not $40 billion or $34 billion borrowed money, but trillions, with an ''s,'' of borrowed money to fund tax cuts which they did not pay for.

They weren't continuations of the Tax Code, as JON KYL, the second-ranking Republican leader in the Senate, now argues ought not to be paid for; $687 billion, that we just ought to continue that for the wealthiest in our country, not the little children who are worried about whether their parents are going to be able to afford the mortgage or afford to put bread on the table. That's what we're talking about in this bill for literally millions of people who have run out of support.

Now, will they run out of support in this moral country? They will not ultimately run out of support; they'll be put on welfare and food stamps. And they won't be available for the insurance to which their employer and they participated in, providing for the contingency that we ran the economy into the ditch, the worst economy in three-quarters of a century, wrought by the Bush economic policies, to which Mr. SESSIONS, the chairman of their campaign committee, says that they want to return to the exact agenda.

I'm so pleased I had the opportunity to come and respond to my friend from Texas. It does demonstrate the difference between our two parties. Absolutely.

JON KYL, who says, we ought to borrow $686 billion from the Chinese to

give to the wealthiest in America, and Democrats, who say we want to borrow $34 billion to give to the children of America whose families are in need—yes, that is the difference, if my friend from Texas wants to make that the difference.

This is about saying that we have an emergency. And historically, from Ronald Reagan to today, Ronald Reagan, Bush the first and Bush the second, what did you do when you were in charge? You borrowed at times of economic trouble to give unemployment insurance.

□ 1320

We are doing the same thing. Why did we do that? Because we perceived it to be an emergency. An emergency that people in the richest Nation on the face of the earth were about to run out of the ability to keep their homes, buy their food, clothe their children. A moral and great country thinks that's an emergency. That's what this vote is all about.

This vote is also about, as the gentleman from Texas has said, expressing our values. I agree with that. And I'm going to express my values, and I urge the Members of this House to express their values this day on this vote, as millions of people have lost their unemployment insurance because we could not get 60 votes in the Senate. Had almost every Democrat saying we need to help now. People are running out of ability to support themselves now. We paid insurance for now. So I urge my colleagues to vote for this legislation.

A few months ago, we passed unemployment insurance through this House by unanimous consent. The election wasn't as proximate then as it is today. The deficit is way too high, and we need to get a handle on it. And I just made a speech, and I have been criticized by some on my side of the aisle and some others for saying that we needed to put everything on the table. I reiterate that today. We need to put everything on the table. No sacred cows.

I have three children, three grandchildren, as all of you will get tired of hearing, and one great granddaughter. And I owe it to her personally, as a Member of this House, to say ladies and gentlemen of this House and of our country, we have a moral responsibility to get a handle on this deficit.

A reporter just asked me as I was walking down the aisle, did I agree with Mr. Bernanke's comment that we ought to pay if we extended the tax cuts? And I said to him this: At a time of fiscal crisis, when our economy is struggling to get back from the ditch it was in when this administration took over—how much of a ditch? During the last year of the Clinton administration, we added 1.9 million new jobs, I tell my friend from Texas. Last year, Clinton administration, 1.9 million new jobs in America. And it was a slowdown period.

During the last year of the Bush administration, after the economic policies that were pursued from 2001 and 2002 and 2003 and through 2009, even though we took the Congress we couldn't do anything because the President would veto legislation, and did in fact veto legislation, 3.8 million Americans lost their jobs. That's a difference of 1.9 million new jobs in the last year of Clinton to 3.8 million lost jobs in the last year of Bush, or a 5.7 million jobs turnaround. Is there any wonder why there is a lot of pain in America and families are in great distress and they're angry and they have angst? And we share that.

Today does not solve the problem. But today reaches out to those folks in distress and say in the short-term, on an emergency basis we are going to continue to give you help so you can support your families in this, the wealthiest Nation on the face of the earth. You worked hard. You paid in. And through no fault of your own, you lost your job.

Maybe because of the fault of Wall Street that my friend believes we were too harsh on, we are imposing rules on so they can play by the rules and not squander and take risks that put Wall Street profits before Main Street stability. Yes, and also we're not going to apologize to the BP oil company and say we're sorry that we expect you to be accountable for the negligence that caused millions of people to be in economic distress. We're not going to say sorry. Some people want to say sorry that the President of the United States suggested, hey, you need to help those people.

Maybe helping people is a difference between our two parties. I don't necessarily think that. I don't want to say that. But if that's the difference, today is a day when 435 of us can stand up and vote ''aye'' to help millions of Americans in deep distress through no fault of their own.

I urge my colleagues to stand up and let people know that you are on their side.

Mr. BOUSTANY. Mr. Speaker, I remind my friend, the distinguished majority leader of the House, that in the 1990s, during the Clinton administration, there was a great bipartisan effort that led to those balanced budgets because there was a Republican majority.

Mr. HOYER. Will my friend yield on that point?

Mr. BOUSTANY. I will yield.

Mr. HOYER. It's a good point. I ask my friend—that is true—why couldn't you do it when you had the House, the Senate, and the Presidency?

Mr. BOUSTANY. I will reclaim my time, and I will remind the majority leader that we have the opportunity to go forward now and not cast blame on the past. So I would say that President Obama actually got it right in a statement of administration policy on November 2009 regarding unemployment benefit extensions, which was fully paid for. And here is what he said. I quote, ''Fiscal responsibility is central to the medium-term recovery of the economy and the creation of jobs. The administration therefore supports the fiscally responsible approach to expanding unemployment benefits embodied in the bill.''

All we're saying is there is a better way to do this, and that is to pay for this extension.

I reserve the balance of my time.

Mr. MCDERMOTT. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. I thank the gentleman for giving me a moment to speak.

Mr. Speaker, my friends from the party opposite refer to deficit and debts. Well, you know, debts are important. The deficit is important. The national debt, all these things are critical. But I guess my question is, you know, when the Republican Caucus voted to give the most wealthy and most privileged members of American society a $700 billion-plus tax cut that they didn't pay for, they weren't that concerned about fiscal responsibility. Why no fiscal responsibility for the two wars? Ten billion dollars a month for Iraq, no fiscal responsibility for that. When the prescription drug handout was given to Big Pharma, $400 billion, no fiscal responsibility then.

But when the poor, hardworking people of America find themselves without work and come and say, you know what, still looking for work, haven't found one, and need some help from my fellow Americans, it's like, ''No, no, no, no. We cannot help you because we got to worry about the deficit.'' Why so much concern, so much heartfelt angst about what the wealthiest, most privileged Americans need but nothing but a cold heart and a closed purse for people who are in an emergency situation?

Mr. Speaker, I ask what about the debts of the people who are unemployed? What about them having to go to family and borrow money? What about them being captured by the payday lenders and the rent-to-owners and these kind of people, folks who take advantage of poor people when they don't have any money and they don't have any unemployment insurance benefits? What about their personal debt? The American people should respond.

I don't want to say that the party opposite is heartless, but this looks heartless. It looks that way. And I don't want my friends in the party opposite to look like they just don't care about poor people. So I urge everyone in this caucus to support and vote for this measure. It is important, it is the right time.

I will just say, finally, the fact is that for every dollar spent on unemployment benefits, $1.60 goes into the economy, which means we begin to pull ourselves out of this situation and deal with this deficit.

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

Mr. MCDERMOTT. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the kind chairman, Mr. MCDERMOTT, for yielding me the 2 minutes.

Sometimes when they say gentlewoman, I don't feel so gentle on the subject of unemployment. And in fact, I rise in strong support of this bill, which is long overdue because of the delays in the other Chamber. And I want to thank Chairman MCDERMOTT for his extraordinary leadership and our Speaker for bringing this bill forward.

All the economic studies show that in fact direct consumer spending that results from the expenditure of unemployment checks on basics—paying for food, paying your mortgage so you don't lose your home, making your car payment on that old jalopy you use to go to work—that, in fact, this creates the largest bang inside our economy to move it up than any investment we can make other than in infrastructure investment, where we are employing people building bridges, building roads, some of the things that people on the other side of the aisle are making fun of.

It's no fun to go over a bridge that collapses. We saw that in Minnesota. These are issues that in a great Nation you take care of. In Ohio, we need unemployment compensation right now. We're one of the platforms that manufactures and grows jobs immediately to hold this country up. And our people, 100,000 of them, still remain out of work and utterly dependent on these benefits. They will be affected directly by the extension of these benefits. Indeed, Ohio has a total of between 600,000 and a million people who are unemployed, working in part-time jobs, or they have fallen out of the workforce through no fault of their own.

The Obama administration will have created more jobs by the end of August than the Bush administration did in the whole 8 years that it sat in office and did nothing except create more war and more unemployment and more outsourcing of jobs. I find my colleagues on the other side of the aisle out of touch—I can't even explain them. We don't live in the same world.

I respect people who go to work every day. I respect those who get injured on the job. I respect those farmers who are out in the fields right now harvesting crops. I respect those who work for them. I respect the people who work in our auto plants. I respect the people working in hundred-degree weather up on bridges around my district right now trying to fix things up and hold things together until a better day comes.

So the least we can do is return to them the money they already paid in, that their employers already paid in, that they already earned. They earned it. I say to the gentleman I support this bill a thousand percent. Ohioans are waiting for their unemployment checks. But most of all, they want to go back to work.

□ 1330

Mr. BOUSTANY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Speaker, I had not intended to speak yet again on this subject, but to hear the last three speakers, clearly there appears to be a confusion on the other side of the aisle between unemployment checks and paychecks.

I mean, what we've heard the Speaker say—I wish I had her exact quote in front of me—that essentially by putting out more unemployment checks, that this is one of the best ways to create paychecks. I've never heard such circular logic in my life.

Now, clearly we need an extension of unemployment. I mean, I must admit I find it somewhat ironic that the President of the United States brings up three unemployed workers. To the best of my knowledge, they've been unemployed during his Presidency. What a testament to his policies and the policies of this institution.

Again, between a national takeover of our health care where employees don't know how much their health care costs are going to be. They're not creating new jobs. Threatened cap-and-trade. Nobody knows what their energy costs are going to be. No new job creation.

We have this financial regulatory bill. Nobody knows what the cost of capital is going to be, particularly with a bureau that has the ability to ban and ration credit for small businesses. You've got private business sitting on almost $2 trillion that could be employed for paychecks but instead, once again, due to the policies of my friends on the other side of the aisle, we're having that debate on unemployment checks instead.

And let me make sure that people aren't drowning on all of this straw that's in the House Chamber today from all the straw men. Here's the debate. In the words of the Democratic majority leader, Are we going to engage in fiscal child abuse and borrow the money principally from the Chinese to pay for this, or are we not? That's the question. That is the only question before the House right now. Are we going to borrow the money from our children and grandchildren, send them the bill, or are we going to pay for it today and quit using it on failed stimulus plans? That's the debate. The American people are not confused. And again, they want paychecks, not unemployment checks.

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

Mr. BOUSTANY. Mr. Speaker, I yield myself the balance of my time.

This is about whether we're going to pay for this or not. Consider that this is the eighth time this Congress is going to extend these benefits. The eighth time. That's an indication that the current economic policy of this administration and this Congress is a failure.

I mentioned earlier the fact of the matter is we have a choice. We can do this in a fiscally responsible way, or we can choose to run up additional debt on our children and grandchildren to the tune of $34 billion between now and November.

Again, I think the President, President Obama, got it right in the statement of administration policy in November 2009 when the unemployment benefit extension was actually paid for. Again, I'm going to quote what he said: ''Fiscal responsibility is central to the medium-term of the economy and the creation of jobs. The administration therefore supports the fiscally responsible approach to expanding unemployment benefits embodied in the bill.''

Now, if fiscal responsibility helps the economy and job creation, then the fiscal irresponsibility of this bill before us will hurt the economy and job creation.

And I think the American people have spoken. They want us to do this, but they want us to pay for it. Let's do the right thing and actually pay for the spending we approve and help our economy grow, help job creation. As the administration said, a fiscally responsible approach is what's needed.

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

Mr. MCDERMOTT. Mr. Speaker, as we close this debate and finally put this on the back burner until November when we have to come back and look at it again perhaps—we'll see—one of the speakers on the other side talked about confusion. My view is that the confusion here is between whether we're going to send unemployment checks or we're going to tell people, Go hungry. That's the confusion.

People say, Well, it's about paying for it. I will remind my colleagues on the other side Mr. Bush was President for 8 years, and when we did unemployment, we did it on an emergency basis. We never paid for it one time and you guys, the Republicans—I'm not supposed to address them directly—they didn't pay for it, Mr. Speaker. They were in charge and their President was in charge, but they called it an emergency.

Now under Mr. Obama, it's not an emergency.

Suddenly we're going to tie up people's minds and try and confuse them. But the fact is that for 6 weeks we have said to workers in this country, We are not going to extend benefits.

Now, we have never, in the history of this country, when unemployment was at 7.2 or above, failed to extend benefits until the Republicans got a serious case of fiscal—well, I'm not going to say exactly what I think—but fiscal disease has overtaken their mind. And they've suddenly caught this thing—it must be in the air around here or somewhere down around the Ohio River between Cincinnati and Kentucky. They've got leadership that said, You know, we can infect everybody with this fiscal fear. We'll just sacrifice a

few million. It's only 2½ million people who are going to lose their benefits. So it's not very many. There's 300 million in America. We can throw away 2½ million. That's easy. They won't vote. They're too stupid to know who's doing it to them.

That's the kind of message you're sending when you're saying you won't give unemployment benefits.

This is so easily understood by the American people. This is not climate change. This is not all the complicated stuff. Some people around here think the American people have a very short memory span, but they don't on stuff where it's right down to the bone.

And you will remember this day as the day when finally the Republicans came to their senses. They finally said, You know, this ain't going to work. It really ain't going to work. We're not going to admit it. We're going to say we were doing it on principle.

But there is no principle at the table when the mother opens the cupboard and there is nothing in it. Or when the lights aren't turned on because you haven't paid the utility bills. Or when the water is turned off because you haven't paid your water bill. What does a mother say the principle is? Now kids, get in the bathtub, but there is no water. Clean yourself up, right?

What kind of nonsense is this? Do you think this money is going for people to buy iPads or iPhones or i4Phones or whatever? This is going for the necessities of life. And you're saying to the ordinary people of this country, Well, we have a principle, under the Democrats, we have to pay for it. Now not under the Democrats.

And I can hardly wait until we get the proposals over from the Senate to extend the tax breaks and watch you guys do a double flip. You will get a ''10'' in Olympic terms for your ability to do a double flip and say, Well, now we don't have to pay for it. And watch, they're going to send over the estate tax. They are going to send over a bailout for the people at the very top. And you're going to say, We don't have to pay for them. Oh, no. No, no. They're very rich. No, no, no, no, no, we can't pay for that. No, no. But they're going to make us pay for the people who are in the most dire distress in this society.

It's really shameful, and I'm going to watch with pleasure as you vote ''no'' as you vote yourself out of here.

I urge my colleagues to vote for this bill, and I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. DAVIS of Illinois. Mr. Speaker, I strongly, resolutely, and steadfastly support this bill to extend critical unemployment benefits for our citizens through the end of November. This bill will provide vital assistance to over 137,600 Illinoisans, and to the 2.5 million Americans, who lost their benefits between June 2nd and July 17th. This bill helps address a national emergency resulting from one of the worst economic recessions in our country's history.

Unemployment insurance is not a theoretical concept to these citizens. Unemployment is a very real lifeline. It allows mothers and fathers to buy food for their children. It allows people to help keep a roof over their families' heads. I have received so many tearful calls from my constituents who call to beg for my help. They are disheartened by their continued unemployment despite active and prolonged efforts to find a job. They are embarrassed that they cannot support their families, and they are frightened that their children will suffer from their inability to feed, clothe, or provide housing. When they learn that their government allowed these lifeline benefits to expire and failed to reinstate them for almost 8 weeks, they are shocked. They worked and paid taxes for years with an understanding that government would help them in a time of need. Yet, this assistance was not there.

I think it is unfortunate that Republicans have delayed this critical financial assistance for so long. To add insult to injury, while proclaiming that our government could not afford $33 billion to help our citizens who are suffering during an economic emergency, the Republican leadership confidently asserted the position that we want the government to spend $650 billion for tax cuts for the wealthy. This is approximately 20 times the cost of this critical unemployment assistance. This is the same leadership that had no difficulty spending a trillion dollars for two wars and giving tax breaks to the wealthiest of the wealthy.

The extension of the aid for 99 weeks is an important first step in helping our citizens who are struggling to find employment. I promise to continue to work with the Democratic leadership to push for ways to help those remain unemployed beyond the 99 weeks. Long-term unemployment is an unfortunate reality for Chicago and for my constituents.

Passing this bill today tells our citizens that we are working for them. Further, passing this bill today reinforces their confidence in their government—confidence that they will help care for them in the lean times. For these reasons, I urge my colleagues to vote for its passage.

Ms. RICHARDSON. Mr. Speaker, I rise today in support of the Senate amendments to H.R. 4213, the Unemployment Compensation Extension Act of 2010, which will extend unemployment benefits to millions of Americans that are in dire need of support. Without this legislation these families will lose the only lifeline that they can count on in this historic economic crisis.

Mr. Speaker, while I am glad that this bill is finally close to the President's desk, I deeply regret the weeks of partisan politics by Republicans, especially those in the Senate, which have obstructed this legislation and delayed benefits to struggling families across the country. Since Republicans allowed benefits to begin expiring in May, over 250 million individuals nationwide and 429,000 in California have lost benefits that help them feed their families, pay their bills, and sleep with a roof over their heads.

Republicans claim to oppose these benefits because of their cost. But, let us not forget that Republicans never bothered to find offsets for the Bush tax cuts. They never felt the need to pay for the Iraq and Afghanistan wars. Only when unemployment benefits are on the table do Republicans suddenly discover an interest in fiscal responsibility. Republicans want to withhold relief from millions of Americans who, through no fault of their own, have lost their jobs in this economic crisis. But this vote offers a final opportunity to put partisan politics aside and work together for the American people.

Mr. Speaker, Congress has taken bold action to energize the economy during this historic economic crisis and lay the groundwork for long-term, stable growth. To be sure, these actions are working: to date, the Recovery Act alone has saved or created over 682,000 jobs nationwide. However, rebuilding our economy takes time and, despite the success of Democrats' job-creating legislation, many individuals and families across the country still need our help. We cannot abandon the families that have been left jobless because of the previous Administration's economic mismanagement. This important measure will retroactively extend unemployment assistance to individuals whose benefits started to phase out in May and will guarantee that benefits are available through November.

Mr. Speaker, this should not be a partisan issue. This is an American issue. Millions of Americans need our help and this is our opportunity to provide it. Let us help the people all across the country who have been hit hard by this recession, people who, through no fault of their own, are struggling to stay in their homes and feed their kids.

Moreover, in addition to providing relief to those in need, this bill is an important step in our economic rebuilding process. Unemployment benefits create economic demand that stimulates the economy and puts people back to work. This is a fast-acting and cost-effective way to energize the economy: every $1 spent on unemployment benefits leads to $1.90 in economic activity. This bill responds to both our immediate obligation to help the American people in a time of great need and the long-term goal of consistent growth and prosperity.

Mr. Speaker, this bill is an obvious ''aye'' vote. The resistance it has seen in the past few weeks is shocking. I strongly urge my colleagues to join me in supporting H.R. 4213.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today in strong support of the Unemployment Compensation Extension Act. This legislation will extend unemployment insurance (UI) benefits, which expired seven long weeks ago, to millions of Americans families who rely on this assistance to make ends meet during these difficult economic times.

I regret that due to Republican objections, delays and stalling tactics, Unemployment Compensation was allowed to lapse for so long. My colleagues in the House of Representatives and I have already passed this legislation three times since May. Unfortunately, the bill was allowed to languish in the Senate while millions of Americans were forced to do without this critical lifeline.

With unemployment in Los Angeles County hovering at 12.2 percent, I continue to hear from my constituents how important these benefits are to them as they look for new employment during these difficult economic times.

One constituent, a college graduate who lives in Los Angeles, wrote to inform me that he has been searching for a job for 18 months without success. He has long since run out of savings and without unemployment benefits

cannot pay his rent. Another constituent, a mother of three children, was recently laid off and is relying on unemployment benefits to pay her mortgage payments and keep a roof over her family's head.

It is for hardworking Americans like these, making good faith efforts to secure employment and trying desperately to find some stability in these uncertain times, that I vote for this important measure.

While we act today to protect the unemployed and their families, I believe we must redouble our efforts to create job opportunities and get Americans back to work.

Mr. CONYERS. Mr. Speaker, today I rise in support of H.R. 4213, the ''Unemployment Compensation Extension Act of 2010.'' After weeks of needless delay, this legislation will ensure that the estimated $2.5 million Americans who lost their coverage will again have access to the lifeline provided by unemployment insurance and again be able to pay their bills and put food on their table. During this unfortunate period, my friends on the other side of the aisle have repeatedly told out of work Americans that the human dignity they seek is a luxury we cannot afford. Let me be clear: There is nothing luxurious about barely getting by—having to decide between your mortgage, your health, or your family's well being.

The opposition to this legislation has been disingenuous, cruel and out of touch. Many of the unemployed people in my district spent years working hard, paying their bills, and contributing to their communities. Through no fault of their own, they found themselves out of work.

Beyond voting for this bill, my Republican friends ought to take responsibility for their role in precipitating this economic disaster. It was they who pushed policies that promoted unfettered free trade, tax cuts for the rich, and the casino culture on Wall Street. The least they could do is vote with the Majority to minimize some of the pain they caused.

For the sake of human decency for our fellow citizens, I encourage my colleagues to support the bill.

Mr. CAMP. Mr. Speaker, three weeks ago we were here talking about this. Two months ago we were here talking about this. And even if this bill becomes law, in four months we will likely be back again talking about this. The specific subject is extended unemployment benefits.

But the real issue, and what is driving the need for a record 99 weeks of unemployment benefits, is this Administration's woeful record when it comes to creating jobs that provide paychecks, instead of unemployment checks.

In February 2009, the President signed into law the Democrats' trillion-dollar ''stimulus'' plan. That was the plan Democrats promised would create 3.7 million jobs, keep unemployment under 8 percent, and stimulate strong private sector job growth.

None of that happened.

Instead, over 2 million more jobs were lost and unemployment spiked to 10 percent, though the number of government jobs has grown somewhat.

So here we are again—extending unemployment benefits because stimulus failed to create the millions of jobs Democrats promised.

But instead of doing this responsibly, this bill will simply add another $34 billion to our $13 trillion mountain of debt.

We can do better than this.

Both Republicans and Democrats support helping the long-term unemployed. And both Republicans and Democrats want to responsibly pay for these benefits.

That would be far better than adding to the unchecked growth in our debt that is already costing us jobs, and that threatens to overwhelm our economy in debt and higher taxes for decades to come.

The fact is, we can both provide this help and pay for it by cutting less effective stimulus spending.

The last time we debated unemployment benefits, I offered a motion to pay for that spending. That is what the Heller substitute to this bill would have done if it was made in order today. Even the Democrat Chairman of the Senate Finance Committee, Senator BAUCUS, has also proposed cutting stimulus to pay for certain extenders.

The American people know it isn't right to add these costs to our already overdrawn national credit card. They want to help those in need. But they also know someone has to pay when government spends money. That assistance must not put our fiscal house as a Nation in even worse shape—and we are already in terrible shape.

I ask my colleagues on both sides of the aisle to reject this bill today and instead work together to quickly pass a bill to extend Federal unemployment benefits while responsibly paying for it.

That is what we should have been doing all along, which would have prevented the lapse in benefits millions have already experienced. Democrat Leaders rejected that obvious compromise, leading to needless additional suffering in recent weeks by millions of unemployed workers who want a job. But it is not too late to fix this, and to do so responsibly, so that we do right by the unemployed, as well as future generations.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of the over 150,000 residents in the State of Texas who have lost their unemployment benefits since June 2nd. Nationally, over 2.5 million Americans have lost their eligibility for unemployment insurance, at a time when our country is suffering through the most difficult economic slump it has witnessed since the Great Depression.

Unemployment insurance helps our country in two crucial ways:

First, unemployment insurance assists those hurt most by this recession.

Second, unemployment insurance is a major job creator.

Nearly 15 million Americans are out of work. Of these 15 million, 46 percent have been out of work for more than six months. In recent months, there have been at least five unemployed workers for every job opening.

These are proud, working Americans who have already been victimized by the state of our Nation's economy. Why are we victimizing them again by denying them this crucial lifeline?

Unemployment insurance is also one of the most stimulative measures the Federal Government can take to help the economy. The Congressional Budget Office has found that for every dollar spent on unemployment benefits, $1.90 of economic growth is generated.

In a recent study by the non-partisan Economic Policy Institute, the expansion of unemployment benefits since 2007 has supported 1.7 million full-time equivalent positions. These jobs have raised GDP by $244.8 billion, a 1.7 percent boost.

In sharp contrast to extending tax cuts for the wealthiest in our country, unemployed Americans will spend their benefits immediately to pay their rent, buy groceries and other necessary goods, thereby creating jobs throughout the economy.

This is not simply smart policy. This is a moral issue. We will be helping our friends and neighbors during their time of need.

I call upon my colleagues on both sides of the aisle to vote in favor of the Restoration of Emergency Unemployment Compensation Act.

Mr. VAN HOLLEN. Mr. Speaker, it is a huge relief for millions of Americans who remain out of work through no fault of their own that the Senate has overcome the Republican filibuster to extend unemployment insurance benefits.

It is an insult to the American people to suggest that those who are unemployed are sitting back and not looking for work while taking unemployment compensation. In fact, in order to qualify for unemployment benefits, one must be diligently looking for a job. Extending these benefits is not only the right thing to do for these families, but it is also important for our economic recovery. If these individuals and families are unable to purchase groceries or pay their rent or mortgages, then the entire community suffers.

Washington Republicans say they are opposed to these emergency benefits because they claim to be concerned about the deficit. However, they recently announced that they wanted to extend the Bush tax cuts for the wealthy and add over $700 billion to the deficit—a sum that would be paid by our children and grandchildren.

Mr. Speaker, I urge my colleagues to support this much-needed legislation so that we can continue to help American families make ends meet during these difficult economic times.

Mr. KUCINICH. Mr. Speaker, I rise in strong support of H.R. 4213, the Restoration of Emergency Unemployment Act of 2010. This legislation extends unemployment benefits to millions of Americans in need through November and retroactively restores benefits to those that recently lost theirs due to Congressional inaction. Unemployment in Ohio is at 10.5 percent. It is the number one request when I talk to my constituents at home.

Even with passage of this important legislation, many of my constituents in the greater Cleveland area will continue to suffer. Many will be ineligible for the benefits provided by this bill because they have exhausted the emergency temporary assistance granted by Congress. Still others are at a greater disadvantage than most; according to the latest unemployment statistics from the Department of Labor, members of the African-American and Latino communities continue to experience disproportionately high long-term unemployment rates at 15.4 percent and 12.4 percent, respectively. While Congress endeavors to provide direct help to those needing it the most, we must also focus on creating jobs.

Our domestic manufacturing sector has been decimated under the weight of the economy, bad trade agreements like NAFTA and CAFTA, and policy neglect. We cannot have a strong American economy without a strong industrial manufacturing sector. We need a coordinated Federal policy that puts the manufacturing sector back in its rightful place as an

engine of the American economy. In recognition of that need, I authored H. Res. 444, which says that the steel, automotive, aerospace and shipping industries are vital to America's national and economic security.

Extending unemployment benefits alone will not address the needs of all Americans currently looking for work across various employment sectors, but it can serve to shore up our local communities and our economy. I urge passage of H.R. 4213, the Restoration of Emergency Unemployment Act of 2010.

Mr. COSTELLO. Mr. Speaker, I rise today in support of H.R. 4213, the Restoration of Emergency Unemployment Compensation Act of 2010.

Unemployment levels are high across the country, and in my state of Illinois unemployment has remained well above 10 percent for over a year. Millions of Americans are actively looking for work, and for these families, unemployment insurance (UI) is a necessary to assist with their medical bills, mortgages, and basic needs so they can continue looking for employment every week.

While I share the concerns of my colleagues regarding spending that is not paid for, canceling these benefits now will only hurt these families and our economy. We have a responsibility to support people out of work and in great need. Moving forward, we may not be able to provide as much assistance to people and the states as many would like, and we may not in the short-term be able to fully offset the cost of all Federal spending. But working together, we can continue to chart a course that builds on our economic recovery and helps those in great need while beginning to address long-term economic challenges.

Mr. Speaker, I urge my colleagues to support H.R. 4213.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1550, the previous question is ordered.

The question is on the motion offered by the gentleman from Michigan (Mr. LEVIN).

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to concur will be followed by a 5-minute vote on the motion to suspend the rules and pass H.R. 5341, if ordered.

The vote was taken by electronic device, and there were—yeas 272, nays 152, not voting 9, as follows:

[Roll No. 463]

YEAS—272

Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bono Mack
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Cao
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Heller
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Manzullo
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Rogers (MI)
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Whitfield
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—152

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Baird
Barrett (SC)
Bartlett
Barton (TX)
Berry
Biggert
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Carter
Cassidy
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Crenshaw
Culberson
Davis (KY)
Djou
Dreier
Duncan
Emerson
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves (GA)
Graves (MO)
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Hensarling
Herger
Hill
Hunter
Inglis
Issa
Jenkins
Johnson, Sam
Jordan (OH)
King (IA)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
Latta
Lee (NY)
Lewis (CA)
Linder
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marchant
Markey (CO)
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Pitts
Poe (TX)
Price (GA)
Putnam
Radanovich
Rehberg
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Walden
Westmoreland
Wilson (SC)
Wittman
Wolf

NOT VOTING—9

Capuano
Doyle
Fallin
Hodes
Hoekstra
King (NY)
Ortiz
Tiahrt
Wamp

□ 1413

Messrs. CARTER, BROWN of South Carolina, and Ms. MARKEY of Colorado changed their vote from ''yea'' to ''nay.''

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOMENT OF SILENCE IN MEMORY OF OFFICER JACOB J. CHESTNUT AND DETECTIVE JOHN M. GIBSON

The SPEAKER pro tempore (Mr. STUPAK). Pursuant to the Chair's announcement of earlier today, the House will now observe a moment of silence in memory of Officer Jacob J. Chestnut and Detective John M. Gibson.

Will all present please rise for a moment of silence.

JOYCE ROGERS POST OFFICE BUILDING

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

There was no objection.

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 5341) to designate the facility of the United States Postal Service located at 100 Orndorf Drive in Brighton, Michigan, as the ''Joyce Rogers Post Office Building''.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill.

The question was taken.

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

RECORDED VOTE

Mr. ANDREWS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 411, noes 0, not voting 21, as follows:

[Roll No. 464]

AYES—411

Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
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
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
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Deutch
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
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 (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
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
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
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
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 (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—21

Akin
Capuano
Culberson
Davis (AL)
Diaz-Balart, L.
Fallin
Hodes
Hoekstra
Johnson, Sam
Jones
King (NY)
Lofgren, Zoe
McCarthy (NY)
Moore (KS)
Ortiz
Radanovich
Rush
Shuster
Smith (NJ)
Tiahrt
Wamp

□ 1422

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.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to without amendment a joint resolution of the House of the following title:

H.J. Res. 83. Joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

PROVIDING FOR CONSIDERATION OF H.R. 1264, MULTIPLE PERIL INSURANCE ACT OF 2009

Ms. SLAUGHTER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1549 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1549

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1264) to amend the National Flood Insurance Act of 1968 to provide for the national flood insurance program to make available multiperil coverage for damage resulting from windstorms or floods, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit.

The SPEAKER pro tempore (Ms. JACKSON LEE of Texas).

The gentlewoman from New York is recognized for 1 hour.

Ms. SLAUGHTER. Madam Speaker, for the purpose of debate only, I am pleased to yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). And all time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Ms. SLAUGHTER. Madam Speaker, I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1549.

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

There was no objection.

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

Madam Speaker, H. Res. 1549 provides for consideration of H.R. 1264, the Multiple Peril Insurance Act. The rule provides 1 hour of general debate controlled by the Committee on Financial Services. The rule provides one motion to recommit with or without instructions.

Madam Speaker, there is not a person in the Chamber today who can forget the terrible destruction left in the aftermath of Hurricane Katrina 5 short years ago. Lives were lost, homes were destroyed, businesses closed. Schools and hospitals were underwater. Our Nation has never been the same.

The damage that Katrina inflicted on New Orleans and across the Gulf States left thousands of people homeless. There were refugees spread across more than a dozen States. I think I speak for all of us when I say the storm left an indelible mark on our collective psyche.

Although the storm and accompanying flood exposed many troubling failings, one of the most alarming was the fact that so many people who believed that they had adequate insurance, in fact, were not covered for Katrina's destruction.

Why? Because insurance companies engaged in a maddening shell game with homeowners about their coverage. Damage that seemed obviously caused by water would be attributed to wind, while wind damage was chalked up to flooding. The stalemate left far too many people with no claim.

The apparent loophole in coverage made it very difficult for many families to rebuild in the months and years after the storm. The same problem has cropped up after other hurricanes or large storms have struck over the years.

In the aftermath of Katrina, Congress worked collaboratively on legislation to address the coverage gap; and 3 years ago, legislation to do just that was approved by the House. However, the plan was unable to win passage in the Senate, so we are here again to try.

Despite the challenges, it is our contention that taxpayers will actually end up saving significant amounts of money if this type of coverage is made available to Americans.

In the aftermath of Katrina, the Federal Government spent more than $34 billion on rental assistance, on vouchers, trailers, grants to homeowners and Small Business Administration disaster loans to homeowners.

Had there been a public option available to allow property owners to purchase insurance that provided seamless coverage of hurricane losses, some of that cost might have been avoided. With this bill we accomplish that goal.

The bill creates a new program within the National Flood Insurance Program to purchase both flood and wind storm insurance under one multi-peril policy, or to purchase wind storm coverage to supplement their already existing flood insurance.

It is a bipartisan bill and has been endorsed by the National Association of Home Builders, and the National Association of Realtors. The bill is also PAYGO compliant, since the program is required to pay for itself.

The most important thing to remember about this legislation is it simply gives Americans the option of buying coverage of getting some peace of mind.

The issue is far too important for us to wait around for the next round of storms like Katrina or Ike or Gustav to roar ashore and leave far too many families with nothing. This bill is a simple and effective way to permit people to purchase insurance so the next storm does not leave them high and dry.

I reserve the balance of my time.

□ 1430

Mr. SESSIONS. I thank the chairwoman of the Rules Committee for yielding me this time, my friend, Ms. SLAUGHTER.

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

Madam Speaker, this will be the 34th time I have handled a rule on the House floor, and this will be the 34th time I have yet to handle one open rule this session of Congress. In fact, over the 130-plus rules this Congress, we have not yet debated an open rule. I guess I could add the word yet, but I would presume that moving forward during this session of Congress I don't think we expect to. What a shame, Madam Speaker.

I don't believe that closing debate or limiting amendments or shutting down Members of Congress who are elected by their colleagues and peers back home to come and represent them, whether they are Republicans or Democrats, makes a lot of sense. As a matter of fact, I think it's wrong. Yet today here we are again with my handling of the 34th time this session a closed rule.

I would once again question this agenda. I would question the agenda of the majority party, the Democratic Party, that we already know is about taxing, spending, and more rules and regulations, and more debt to this great Nation. But I think that it's important to look at how bad process delivers a bad outcome. And today that's exactly what we're looking at again, another flawed process to bring something to this floor that should be treated more respectfully than the topic that it is.

But I am going to use my time also to talk about some Republican ideas. One thing I have the opportunity today, Madam Speaker, is to call for a vote on the previous question to allow for this week's YouCut winner. We've over the weeks heard about YouCut.

YouCut is a Republican idea that's an online idea. It's a voting tool, a tool where people who are back home have an opportunity to pick what they consider to be wasteful government spending, something which this Congress is incapable of doing because the agenda does not allow for making wiser choices or even feedback from our colleagues about how we would cut and make this government more efficient. Over a million Americans have voted this week alone.

This week's YouCut winner is the elimination of subsidies to first-class seats on Amtrak's long-distance routes. This initiative would yield $1.2 billion in savings over 10 years. And these people who have voted are hard-working Americans who are paying attention to what we're doing here in Washington. They don't want to have their tax dollars subsidize first-class travel on Amtrak.

I have long advocated for reforming Amtrak, especially the long-distance routes. These routes lose money year after year after year. They continue to receive money from the Federal Government, and Amtrak has no incentive to improve their operations as long as Uncle, that's Uncle Sam, is willing to pay.

This Congress I have introduced H.R. 5377, a bill that would require Amtrak to eliminate service on long-distance routes whose total direct costs are more than twice the revenue. That is, where the costs are more than twice the revenue that comes in, the Federal Government should not be paying for that. The taxpayers should no longer be footing the bill for Amtrak's inefficiencies. And today you're going to have a chance to hear from the Republicans about how we think we ought to streamline this government and provide savings to the taxpayer.

Additionally, we're here today to discuss H.R. 1264, which would expand the National Flood Insurance Program, known as NFIP, to include wind storm insurance coverage. But once again today, based upon the agenda that this Democratic majority has, it would create a massive new government program to offer government-paid coverage backed with taxpayer dollars. And while this legislation may be well-intended, I have no doubt that it would have a crushing impact on a very fragile U.S. job market that would add billions to the Federal deficit. That's why we're talking about YouCut today.

We're talking about YouCut today because the bill we're getting ready to pass here in just a few minutes is not even paid for. And our friends in the majority keep talking about, oh, we pay for things. We make the tough decisions. Well, another day in Washington where another tough decision is not being made by the leadership of this House, and the agenda of taxing and spending and more debt and long-term destruction of the free enterprise system is exactly what's on the floor of the House today with this bill.

Transferring these liabilities from the private sector to the NFIP would be fiscally irresponsible. The NFIP currently owes the U.S. Treasury over $18 billion—yet we're going to give them some more, we're going to empower them some more—the amount that it's been forced to borrow from the American taxpayers to pay claims and expenses in excess of the premiums collected.

Since 2006, the Government Accountability Office has included the NFIP on its list of high-risk government programs in need of comprehensive reform. And here today we're empowering a program that's on the high-risk series and encouraging them to do more business, taking business from the free enterprise system.

Additionally, the Property and Casualty Insurance Association of America, known as PCI, estimates that the legislation will eliminate 41,775 private-sector jobs so that Uncle Sam and the government can add jobs.

Madam Speaker, that is the hallmark of this Democrat majority. It is to empower the government against the free enterprise system. We saw this in May numbers, when the May numbers came out, 431,000 net new jobs. And our friends in the Democrats come down every day and say, Look at us, look at all these jobs we're creating. Yeah, 431,000 jobs in May, but of that figure 400,000 were government jobs. They were census jobs, they were temporary

jobs, and you're trying to fool this country. In Texas, if we were in the Texas legislature, that would be deceptive advertising. It should be deceptive advertising in Washington and be against the law.

With an unemployment rate at 9.5 percent and a loss of over 3 million jobs since January of 2009, now is not the time to be diminishing more. That's 41,775 jobs is the estimate. By increasing the taxpayers' exposure also, this program is $22.1 billion in premiums that could be taken out of our economy. But it doesn't stop there. More than $20 billion of investment in mutual, municipal, State, and local bonds will completely dry up. A line of business that the free enterprise system handled that the government did not need to. And government at all levels, State, Federal, and local, will lose billions in tax revenue from the free enterprise system.

During the last Congress, the Senate rejected this proposal by a vote of 74 to 19. Even the administration, shockingly, even the administration voiced opposition to adding wind to the NFIP, citing concerns that it would threaten the long-term viability of the program. Exactly right. It's called bankruptcy. Never forget the taxpayer is there, so it probably won't go bankrupt.

With the current Federal crisis, the financial crisis, and the government crisis, and record unemployment, why would the majority party be pushing for legislation to make unemployment worse? Or would this simply be to help the U.S. Treasury? I don't know. But either way it's government jobs. And I guess we should be careful and not complain too much, because I guess Uncle Sam needs the help.

Madam Speaker, the voices of the American public have been clear. Americans want pro-growth solutions that will encourage job creation and investment and that would keep Americans competitive with the world. Instead, today we find 41,000 more jobs that will dry up in the free enterprise system, jobs back home.

□ 1440

This legislation further diminishes not only these jobs but adds billions of dollars to our national debt. That is the hallmark of this administration and this Congress: more taxing, more spending, more taking of jobs from the free enterprise system to the government, and perhaps worst of all, a debt we may never, ever pay for.

When my friends on the other side of the aisle start to promote positive solutions instead of federalizing more sectors of our free enterprise system, they can count on receiving our support. I can't do it today. Today's another vote.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I yield myself 1 minute.

We don't have hurricanes in Rochester, New York—for which we are extremely grateful. But all of us were affected by Katrina. All of us saw what happened to the city that we all loved. New Orleans belongs to every American. All of us have friends here in the House and some in the Senate who lost everything they had. These were people who had insurance on their homes. They thought they were covered. But because the fact the insurance companies said no, they would come to your house, which may have been completely overwhelmed with water, and say that was wind damage; we don't cover that. With the whipsawing back and forth, so many people lost everything they had.

As I said in my opening statement, the government paid $34 billion to try to house and maintain people until we could find a permanent solution. If by passing this bill we can avoid that kind of expenditure again, I would call that money well spent. This program is self-sufficient, it is paid for by the premiums.

I yield 4 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentlelady's courtesy in permitting me to speak on the rule.

I will support the rule, but I rise in reluctant opposition to the legislation.

I sympathize with my good friend from Mississippi and admire his passion and commitment to this issue and his tireless effort to try and help his constituents who have been put in a horrible situation in the aftermath of Katrina. But I do think this bill is a classic example of how our empathy interacts with a system that doesn't work to cloud our judgment and leads us to consider action that would actually make things worse over the long haul.

As Mr. TAYLOR has forcefully argued, Katrina exposed many problems with the National Flood Insurance Program. The confusion about wind and flood damage and the difficulty that his constituents had in getting insurance companies to cover their losses after Katrina is unacceptable. That was why I was pleased to support his amendment to the Flood Insurance Reform Act on the floor last week that would prohibit the write-your-own insurance companies from excluding wind damage under their own policy solely because flooding also caused damage to the property. I think that will go far in preventing insurance companies from taking advantage of consumers or the Federal taxpayers.

But extending the flood insurance program to cover wind hazards is like slapping a Band-Aid on a broken bone and then putting the patient on a skateboard while the bones are still mending.

I strongly support the goals of the flood insurance program and know that it has played an important role in insuring many American communities while encouraging mitigation and reducing risks. But with each additional disaster, it becomes clearer and clearer that the program is broken.

Right now, as my good friend from Texas pointed out, it's $19 billion in debt. Adding for wind coverage, even if it's supposed to be actuarially sound, will only make this worse.

Now, it is very likely to result in significant short-term losses for the flood insurance program. Even though CBO has given the bill a neutral score, that's based on a highly questionable assumption that FEMA will charge actuarial rates that fully cover wind losses despite a 40-year history of failing to do so for flood losses. FEMA doesn't have the ability to calculate what actuarial rates for wind coverage should be, much less enforce them.

As Robert Hunter, who ran the program in the 1970s, has said, Poor management at FEMA—You're doing a heck of a job, Brownie—and lax enforcement of building requirements by local government has meant that the program hasn't worked the way it was supposed to. Some have even argued that it actually even encourages development in hazardous areas.

Let me speak for a moment about the building code requirements under this legislation. The NFIB already subsidizes unwise construction in floodplains, and this would make it worse. While the bill requires the adoption of building codes to mitigate against wind losses, this is not strong enough. It doesn't address development in hazardous areas itself, and by increasing the availability of Federally backed insurance in hazardous areas, this bill will give people a false sense of security and provide incentives for development in those various areas. And there is a serious gap in the actual enforcement of those building codes.

The current problems with the flood insurance programs must be addressed before we can even think of expanding it to cover yet more hazards.

The experts on flood insurance agree. The administration sent up a statement of administration policy against the bill yesterday. The bill is opposed by FEMA, the Association of State Floodplain Managers, the insurance and reinsurance industry, the environmental community, Taxpayers for Common Sense, the National Taxpayers Union, and the Consumer Federation of America. They argue that it would expand a broken program, further encourage development in hazardous areas by giving people a false sense of security, have the Federal Government unfairly compete in the private insurance market, and put the American taxpayer further at risk.

Mr. SESSIONS. Madam Speaker, at this time I would like to yield 3 minutes to the gentleman from Richmond, Virginia, the minority whip, the favorite son from Virginia (Mr. CANTOR).

Mr. CANTOR. I thank the gentleman.

Madam Speaker, I rise in opposition to the rule. I rise in opposition to the previous question.

With over 1.3 million votes cast and counting, the YouCut movement continues to give people across America a

voice to help put a stop to Washington's never-ending shopping spree.

House Republicans have already offered $120 billion in commonsense spending reductions. Yet week in and week out, the majority has astoundingly voted against the will of the people.

Proposed by Congressman MAC THORNBERRY of Texas, this week's YouCut winner highlights the latest example of egregious government waste.

Despite the fact that only 16 percent of Amtrak passengers choose sleeper class fare, which includes a turndown service and private entertainment, taxpayers are on the hook for more than twice as much for these passengers compared to those who ride in coach.

During these increasingly tough economic times, is it really fair to ask taxpayers to subsidize turndown service and pre-paid movies? The American people have emphatically said ''no.''

Just days ago, Madam Speaker, four House Democrats bucked their party's leadership to form a working group they say is devoted to cutting wasteful spending. As my House Republican colleagues and I have said since YouCut's launch, tackling our staggering national debt is not a partisan calling. It's an American calling because our country is at a crossroads.

It is only logical then, Madam Speaker, that the new Democratic group would support the elimination of first class Amtrak subsidies and save taxpayers up to $1.2 billion over the next decade. I urge them, as well as all of my colleagues on the other side of the aisle, to join us in voting to bring this week's YouCut to the floor for a vote.

Ms. SLAUGHTER. I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, at this time I would like to yield 3 minutes to the gentleman from Clarendon, Texas (Mr. THORNBERRY).

Mr. THORNBERRY. I thank my friend for yielding.

Madam Speaker, one of the things that most Americans don't realize is to what extent the Speaker, through the Rules Committee, controls this House and even what we can vote on. She determines what bills will be brought here, even what amendments may be offered. And there are very few ways to get another issue even considered here.

But that's what this next vote is about. It's about trying to get a vote on a proposal that most people who went on the YouCut Web site this week have chosen as something that should at least get a vote.

Now the gentleman from Mississippi has a serious proposal on the floor. But there are other serious proposals which ought to be considered as well.

□ 1450

One of them is to cut the subsidy that goes to Amtrak's sleeper class service.

Madam Speaker, the facts are this. Sixteen percent of the people who ride Amtrak's long distance routes, 16 percent, choose the sleeper class service. Everybody else rides in coach, but the people who choose the sleeper class service, as the whip mentioned, get a private compartment, usually a private bathroom. They have turndown service where somebody comes and pulls back their sheets at night. They have unlimited meals in the dining car, all a very nice thing, but the problem is the taxpayers subsidize an average $396 per ticket for every one of those people who choose that sleeper class service. You add it all up and it ends up being actually more than $1 billion over 10 years that the taxpayers subsidize the people who choose the sleeper class service.

Now, our proposal doesn't eliminate that service. It doesn't change any Amtrak routes. It just says, if you're going to have that service, you ought to pay the cost of it. You ought to pay the cost of what you buy. I don't think that's terribly revolutionary, but it saves more than $1 billion to the taxpayers.

Madam Speaker, in January I got to speak to a bunch of high school seniors in Randall High School in my district. At that time, their share of the national debt was about $39,000. Today, their share of the national debt is $42,739.

I think the next vote hinges on this question: Is it worth $1 billion of subsidies for sleeper class service to add to the debt that those high school seniors have to pay? That's the question the Members will answer with the next vote.

Mr. SESSIONS. Madam Speaker, the gentleman from Texas (Mr. THORNBERRY) makes a great point, and we can today on the floor of this House of Representatives add to this bill with its own merits by saying let's also, as we're adding billions of dollars, at least simplify government and cut a billion off of what it does. It makes sense to me, and I applaud the gentleman from Texas (Mr. THORNBERRY) for his great YouCut suggestion.

At this time, Madam Speaker, I would like to yield 2 minutes to the gentleman from Wheaton, Illinois, PETE ROSKAM.

Mr. ROSKAM. I thank the gentleman.

You know, if you were going to sit around and come up with a movie script of absurdity, you couldn't come up with a script that was this real. In other words, taxpayers out subsidizing first class passenger travel on railcars throughout the United States? If you trotted that out to Hollywood and said, ''Oh, we've got one for you,'' the Hollywood types would throw it away and laugh at you and say there's no way, that's completely unrealistic, except in this Congress.

Congressman THORNBERRY from Texas has figured out by carefully reading an Inspector General report of the Department of Transportation that there is a way to save $1 billion over 10 years. Now, think about that. You know something very interesting. You don't hear anybody coming to the floor, Madam Speaker, to defend this practice of subsidizing first class rail treatment. The reason is nobody can do it with a straight face. Nobody can say, Oh, no, no, no. We need to subsidize movies on Amtrak. We need to subsidize prepaid meals. We need to subsidize honest-to-goodness the bed turndown service in the sleeper car.

How absurd is that?

So oftentimes in political life we're asked what would you cut. What would you cut? How would you balance this budget? Well, I tell you what. You've got a whole host of Republicans that say let's vote ''no'' on this previous question and let's take up this effort, this time, this afternoon to cut $1 billion.

Mr. SESSIONS. Madam Speaker, I would like to ask the gentlewoman if she has any further speakers.

Ms. SLAUGHTER. At this moment, I do not.

May I inquire of the gentleman if he's ready to close?

Mr. SESSIONS. I wanted to ask the gentlewoman if she had additional speakers. I received a good answer. Thank you very much. I appreciate the gentlewoman.

Ms. SLAUGHTER. May I inquire if the gentleman is ready to close?

Mr. SESSIONS. I have about 45 or 50 more speakers, and I will consume my time.

Ms. SLAUGHTER. Thirty-five or 50?

Mr. SESSIONS. I have a number of speakers. We did not receive enough time in this rule to be able to provide enough time for our speakers. It's a very important topic for us, and I understand that you don't have any speakers, but we've got a bunch. So, yes, ma'am, I do intend to use my time.

Ms. SLAUGHTER. Madam Speaker, I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, at this time I would like to yield 3 minutes to the gentlewoman from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Madam Speaker, I know we're going to have a big debate on flood insurance and wind insurance and I'm going to be participating in that, but I wanted to talk about, obviously, the YouCut program.

There is nothing that is upsetting to more people across the State of West Virginia that I see every day than the overspending, the debt and deficit that is just overwhelming them and this country. But the YouCut program, since its inception, 1.3 million Americans have weighed in on where they think we can cut government spending. Folks from all across America are tightening their budgets. This summer, they're deciding? Can we go on vacation. Can we go for 2 days. Can we go for a week. Can we fly. Can we drive. Should we go out to dinner? Should we stay in?

All these are economic questions that we ask in our families every single

day, and those are the kinds of questions that we should be asking here in Washington. Where can we tighten our belts and save our money so that our next generations and the generations beyond us are going to have the kind of America that we have and our parents enabled us to have?

People are rightly disgusted by the gross abuse, I think, of taxpayer money on pet projects and overbloated Federal programs, but I think we're listening. Republicans are listening and we're taking action. House Republicans have already offered $120 billion in spending cuts, but the Democrats insist on continuing down this dangerous path of overspending.

Now, some of the cuts we've offered haven't really been what would be considered, around Washington, huge amounts, maybe just hundreds of millions or billions, but come on. This is real money. This is taxpayers dollars, and so if you have to start on a smaller amount and grow it larger, we all know it eventually will make a dent.

So this week I'm casting my vote in support of my colleague's proposal to quit subsidizing first class subsidies to Amtrak. Only 16 percent of the passengers opt for first class, yet we are subsidizing the first class seats in Amtrak to the point of $1.3 billion of subsidy that goes to those who choose to purchase first class seats with Amtrak.

Amtrak's a great thing, comes in my district, goes right through the center of the State on out to the West. But people who have first class and want to buy first class seats should be able to pay for it. It should be priced accordingly. So I think this is a good way to save, over 10 years, $1.2 billion of taxpayers' money.

Let's give the American people what they're wanting, that is, fiscal restraint and responsibility. That's what American families across this country are exercising across their kitchen table. That's what we should be doing here across the budget table in the United States Congress.

Mr. SESSIONS. Madam Speaker, you know, it sounds like the gentlewoman from West Virginia gave us a good way to think of things, and that is, too much of a good thing may not be good.

What this rail service is about, Amtrak, I believe, is a pretty good idea, but too much of a good thing, where you can't properly manage it or pay for it, where it gets larger than what the mission statement is, is a bad problem. And, you know, Madam Speaker, the Republicans are on the floor of the House today and we're called to Washington every week and we can handle that, but day after day after day after day after day after day after day we handle small ideas and little issues.

Today, we're handling an issue that the gentleman from Mississippi deeply believes in and, in fact, he will have an opportunity not only to have his ideas on the floor but he will get a vote on those ideas. Republicans have now, in our fourth year, been saying to this Speaker and this majority leader and this Democratic majority that we believe that this body is entitled to have an agenda that the majority wants.

□ 1500

But we believe it should be balanced. We believe it should include some tough decision-making, not just more spending, not just pet projects, but, rather, things which will empower people back home to have confidence in what we are doing here in Washington. And Republicans have, once again today, through YouCut, through the leadership of our minority whip, ERIC CANTOR, presented ideas on this floor and every single Member will have an opportunity to vote on that.

Republicans believe that we should have to make tough decisions. Republicans believe that you ought to come and read the bill. Republicans believe that that Rules Committee that's up there, if you say your agenda is going to be open and honest, that you ought to mean it. Republicans believe that there ought to be an opportunity for Members to come and have their ideas heard.

We are taking seriously what we think is a duty and an obligation to come and talk about how we can make our jobs that we do more serious by streamlining, providing feedback to Federal money that's being spent. It's an incredible amount of money that not only is being spent out of this town but way too little, if any, is about reforming and making the government more efficient. We think that that's what we should be about.

We think that we should be about providing ideas, giving money to this government, but with the expectation of performance that would allow streamlining and efficiencies and not giving away services at less than what their real cost is.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 5 minutes to the gentleman from Mississippi, the sponsor of the legislation, Mr. TAYLOR.

Mr. TAYLOR. Thank you, Madam Chairman.

Madam Speaker, if I was a shill for the insurance industry, and apparently we have our share on the floor today, I would do everything but talk about what the insurance industry did to south Mississippi after Hurricane Katrina. I would forget, if I was a member of the Rules Committee, the 12 years that they controlled the floor of the House of Representatives, the 12 years that they could have cut the Amtrak subsidy had they wanted to, but they didn't.

So let's get back to what we are going to talk about today. And, again, I thank the leadership for bringing this to the floor.

If you had visited south Mississippi in August of late 2005, gone to a little town called Bay St. Louis, you could have driven down the street and seen this house. It belonged to some folks named Corky and Molly Hadden. On August 29, 2005, Hurricane Katrina hit south Mississippi. So the Haddens left this because their Nation warned them that a bad storm was coming, and came home to this.

Corky is a financial manager; he is a smart guy. He had lot of insurance, he thought. As a matter of fact, Corky had $650,000 worth of insurance on that house. The problem was under the rules of the National Flood Insurance Program that Mr. SESSIONS agrees needs changing, and I am trying to change today, we paid the private sector, State Farm, All State, Nationwide, we pay them to sell the policy; they get a premium. We pay them to adjust the claim.

The problem is no one bothered to think that wait a minute, we are letting that claims adjuster decide he is playing God. He can say the wind did it, which means his company has to pay, State Farm, Nationwide or All State; or he can say the water did it, which means the taxpayers have to pay.

You are right, Mr. SESSIONS, we should not have paid that $18 billion. The reason we paid that $18 billion is a bad set of rules that allowed companies like State Farm, All State, Nationwide to stick the taxpayers with their bills. So 18 months after this event, Mr. Hadden, who had $650,000 worth of insurance on that nice house, was paid nothing by his insurer, State Farm Insurance Company.

Again, if you are a defender of the insurance industry, if they are helping you with your campaigns, you sure as heck don't want to talk about that, do you?

The next house, if you had gone a little bit further down the same street, you would have seen one of the oldest houses in Bay St. Louis, built around 1800. So from 1800 to 2005, no telling how many hurricanes it survived. It belonged to the Benvenutti family, a pretty old house.

This is what it looked like when they left because their Nation told them to get the heck out of there, there is a bad storm coming. Let's see what they came home to. This is what they came home to.

You know, for most people, including Mississippians, your house is your biggest investment. It is, to a large extent, an extension of yourself. So the Benvenuttis, realizing that that house meant a lot to them, had a lot of insurance, or so they thought, $586,000. When they filed their claim, for almost 24 months they were paid nothing on their wind insurance.

Now why is this significant? Well, NOAA, the Navy Oceanographic Lab and others went back and looked at the events that were called Hurricane Katrina, and NOAA tells us that for 4 hours before the storm surge arrived in south Mississippi, that house, the house before it, was subjected to hurricane-force winds for 4 hours before the water ever got there. Yet the insurance

companies wanted to turn around and blame everything on the water. Why? Because they could stick the taxpayers with the bill.

The next house is a more typical home, more modest home. This one is about a mile inland, about a mile inland, pretty good ways from the water. Beautiful home. This is what the folks who lived there, when they left, looked at last.

This is what they came home to.

It's not just three houses; it's not 30 houses. It was 30,000 houses that this happened to. So, again, these folks, knowing this was a big part of their lives, had $249,000 worth of insurance. Their insurance company was slightly more generous than the previous two times and offered them $10,000.

Now, Mr. SESSIONS points out that, incorrectly, that maybe government shouldn't be doing this. Well, maybe he doesn't talk to his folks in his State capital often enough because if he had he would know that his State is already doing this.

In the aftermath of Katrina, on a State-by-State basis, the insurance industry pulled out, left a vacuum. People had to have some form of wind insurance; and so on a State-by-State basis, the State picked up that obligation.

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

Ms. SLAUGHTER. I yield the gentleman an additional 4 minutes.

Mr. TAYLOR. In the gentleman's State of Texas, the Texas wind pool in 2004 had an exposure of $20.8 billion. That has expanded to $58.6 billion. That's not private sector that's going to pay that bill; that's the Texas wind pool. They are on the hook for that.

In my home State of Mississippi, it has gone from $1.6 billion to $6.3 billion. I can't speak for every State, but I can tell you that pretty well equals the Mississippi State budget. If there was a catastrophic storm in Mississippi that hit all three coastal counties on one day—and, by the way, that's happened three times in my lifetime—it would break the State of Mississippi.

Now, at some point they are going to come up and say, well, they have got reinsurance, okay. Almost all the reinsurance is out of the Bahamas and the Caymans. So let me ask you a simple question: If the Benvenuttis couldn't get a company out of Illinois to pay their claim, if the Haddens couldn't get a company out of Illinois to pay their claim, if the other family couldn't get a company out of Illinois to pay their claim, does anyone really think a company from the Bahamas is going to willingly write these checks? Who is kidding whom?

On a State-by-State basis, Florida has gone from $2.2 billion to $436 billion; South Carolina, $6 billion to $17 billion; Georgia, the gentleman from Georgia's State, $565 million to $2.1 billion, a 265 percent increase, not private sector, State liability.

So why do we want to do this? Because, quite honestly, the purpose of insurance, to people who pay their premium, to live the way they are supposed to, but they want the certainty that if something bad happens to them, they are going to get paid.

□ 1510

Secondly, why should the Nation do it? Because, quite frankly, it would break any one of these States. The chances of every coastal county in Mississippi getting hit all in the same day has happened three times in my lifetime. In 2004, Florida had four catastrophic storms, hit almost every square inch of the State. But the chances of the same storm hitting every State on the same day is minuscule. And if it does happen, don't worry about paying claims, it's just going to be called Armageddon.

So what we are proposing is a program that, instead of letting the private sector collect the premiums and the Nation pay the bill, would allow people to, as an extension, as an option to their flood insurance, pay for a wind option. That way if they come home to nothing, if they come home to a substantially destroyed house, it doesn't matter if the wind did it, it doesn't matter if the water did it; the fact is they built their house the way they were supposed to, they built it in a place that was safe, they paid their premiums, and they are going to get paid.

The last point of course the insurance industry doesn't want to tell you, so I will. In the same year the National Flood Insurance Program lost $18 billion they made $48 billion in profits. Why? Pretty simple. They collected the premiums; you, the taxpayer, paid the bill. You paid the bill for the FEMA trailers because, again, a typical insurance policy says if your house is destroyed, if your house is damaged to where you can't live in it, they will pay to put you up. But when they denied these claims in full, as they did thousands of times, then someone had to do something. President Bush, to his credit, stepped forward and said we're going to make FEMA trailers available. That cost the taxpayers $4.3 billion; $7.2 billion for temporary housing; CDBG grants totaling $15.4 billion. And what was one of the prerequisites to get a CDBG grant? You had to have insurance and you didn't get paid. So who paid that bill? Uncle Sam, you, the taxpayers paid that bill. Lastly, SBA disaster loan, $7.6 billion. So for a total bill of $34.5 billion. It wasn't $18 billion the Nation lost that year, it was over $50 billion. We are trying to change that. We are trying to come up with a program where the premiums pay for the program.

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

Ms. SLAUGHTER. Madam Speaker, I yield the gentleman 3 additional minutes.

Mr. TAYLOR. So, again, I thank the gentlewoman for bringing this to the floor.

I would remind my Republican colleagues that in the 12 years that they ran the House, I don't ever recall a vote on cutting the subsidy for Amtrak. I would have voted with you, but I just don't remember your bringing it up.

So let's talk about this problem this day. I would remind my Republican colleagues that on a regular basis they come to the floor and say, you know what? We shouldn't be doing all these things that don't make sense, all these things that don't contribute to each other. Amtrak is not an insurance problem. This is an insurance program. It is a single-shot bill to do one thing, and that's to let those people who want to buy wind insurance as an option to their flood insurance so that they will know that if they paid their premiums, they built their house the way they were supposed to, if something horrible happens they will get paid.

Mr. SESSIONS. By the way, the gentleman from Mississippi is a very dear friend of mine with whom I engage on a regular basis. I just want the gentleman to know that while I know that under Speaker PELOSI we don't have any process with appropriations to strike or amend any appropriations bills, for 12 years I brought an Amtrak cut bill to this floor. So I will be providing that information, and I look forward to the gentleman joining me as soon as we get a Republican majority that will allow that to take place on the floor of this House, an open process.

Madam Speaker, I yield 4 minutes to the gentleman from Savannah, Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman for yielding.

While I oppose the rule and the bill, I want to say with great emphasis what a fiscal conservative my friend from Mississippi is, and how I know that he is struggling to find a solution to something that I would agree is a problem.

Now, I live in Savannah. I have a house on the waterfront, and I also have a beach house, so I have to participate in the National Flood Insurance Program and in the State windstorm pool. And Mr. TAYLOR is right, if you've ever dealt with them, it is a pain in the neck. The bureaucracy is horrible, getting the claims paid is a really big problem. The debate as to what is flood and what is wind and what is wind-driven water is very complicated. And the insurance companies will get no sympathy from me on this situation.

The problem is that here we are again under the Pelosi Congress with a closed rule in which none of us can offer an amendment. I mean, think about that. We're all elected, 435 Members representing 600,000 people, and yet we're not allowed to offer an amendment because the Rules Committee has to play favorites. And unless you're on the A list, you can't offer an amendment, even though you

still represent 600,000 people like everyone else here. So we can't improve this.

A couple of suggestions I would have said is, why not give the State insurance commissioners—since, as my friend knows, insurance is a State matter, the McCarran-Ferguson Act, Public Law 15, says that States will regulate insurance. And why not make sure the insurance commissioners have the authority to say to an insurance company, if you want to sell insurance in my State, then you're going to have to take a percentage of the flood or the windstorm exposure? Give him the power to twist their arms. Because I can tell you, having been in the insurance system—I'm a CPCU, that's a Chartered Property Casualty Underwriter—that insurance companies will cede anything, anything that's difficult they will be glad to let the State government or the Federal Government take all the flood claims, take the crime claims, take the DUI drivers. They want the unprofitable stuff off their books because they make money two different ways, one is an underwriting profit, the other one is an investment profit.

Now, ironically, right now we're in a soft market. Insurance premiums on the commercial side are actually going down because insurance companies, for some unknown reason, are making their money elsewhere. So I think what Mr. TAYLOR is saying is right, there are some things that are going on, and an insurance commissioner should be able to get to the bottom of it. But again, since we can't amend this to try to put language like that in there, we need to bring this rule down to send the bill back to committee.

Now, I want to say we almost got through today without a new Federal program—I thought it might happen. This is a new Federal program. We did pass $34 billion onto the next generation in increased debt—which I know some people were clapping about, I don't exactly follow that. We have a $1.4 trillion deficit, the largest debt in the history of the Nation, 90 percent of our GDP, and yet we have Members on the Democrat side clapping about $34 billion in new debt.

Now, put this in context. May of 2008, a Bush stimulus bill—which I voted against—$168 billion; it did not create jobs. Bear Stearns bailout by the Federal Reserve in March of 2008, $29 billion. Fannie Mae bailout, $200 billion in July of 2008. September of 2008, AIG bailout—again by the Federal Reserve—$85 billion, now up to $140 billion. And then we had the infamous TARP, $700 billion. I voted ''no'' on that. Then here comes the stimulus bill to keep unemployment from going to 8 percent. Unemployment at the time was 7.6 percent, and $800 billion later we're at 10 percent unemployment. We are right now borrowing 37 cents on every dollar we spend. I hope you will vote the rule down.

The SPEAKER pro tempore. The gentleman from Texas has 1½ minutes remaining; the gentlewoman from New York has 11½ minutes remaining.

Ms. SLAUGHTER. I reserve the balance of my time until the gentleman from Texas closes.

Mr. SESSIONS. Madam Speaker, I yield myself the balance of my time.

I appreciate the gentlewoman from New York for not only this time but getting through this thing.

Madam Speaker, as you can see, Republicans, and at least one Democrat, have a lot to talk about. I wish we had more time today. Republicans would have liked a lot more time to make sure that we could talk about not only this bill, but the implications that are on the floor.

Republicans continue to offer, Madam Speaker, commonsense solutions to rein in the current spending spree, a spending spree that's now in its fourth year by this Democrat majority. We, like the American people, would like transparency and accountability and common sense, creation of jobs, not the extension of unemployment benefits that are not paid for.

□ 1520

We believe in people having jobs, and if this majority were serious and if this administration were serious, they would do the things that work rather than the things that don't work. They are doing things that don't work, Madam Speaker, and that is what this Democrat majority will be held accountable for. It's really a sad thing to hear person after person who has lost his job, and people whom I know, and to see the malaise this country is in.

Madam Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

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

There was no objection.

Mr. SESSIONS. The legislation before us today brings more uncertainty to the long-term solvency of the NFIP. This legislation risks more American jobs and adds more to our State, local, and Federal deficits. It is true, as the gentleman spoke of, that States take this on. It is a State's responsibility, not the Federal Government's, but that is part of what this agenda is all about. For this reason, I encourage a ''no'' vote on the previous question.

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

Ms. SLAUGHTER. Madam Speaker, I want to remind those persons listening, particularly Members of Congress who are going to come to the floor to vote, that we are not voting on Amtrak cars. We are talking about legislation to try to protect those Americans who are victims of hurricanes and other related natural disasters from losing everything the way the gulf coast victims of Katrina have. The bill will help ensure that the insurance loopholes will be closed and that hardworking Americans won't be denied legitimate claims when they desperately need them.

I call for a ''yes'' vote on the previous question and on the rule.

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 1549 OFFERED BY MR. SESSIONS OF TEXAS

At the end of the resolution add the following new section:

SEC. 3. Immediately upon the adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5801) to prohibit the use of Federal funds for the subsidization of Amtrak sleeper car service, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 5801.

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the

opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

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

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

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

Ms. SLAUGHTER. I yield back the balance of my time, and I move the previous question on the resolution.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 234, nays 179, not voting 19, as follows:

[Roll No. 465]

YEAS—234

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

NAYS—179

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

NOT VOTING—19

Buyer
Capuano
Culberson
Davis (AL)
Diaz-Balart, L.
Diaz-Balart, M.
Fallin
Gutierrez
Hodes
Hoekstra
King (NY)
Lofgren, Zoe
McNerney
Mollohan
Ortiz
Pence
Tiahrt
Tierney
Wamp

□ 1550

Messrs. SHIMKUS, MITCHELL, RYAN of Wisconsin, and MICA changed their vote from ''yea'' to ''nay.''

Mr. DONNELLY of Indiana, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. SCHRADER changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 228, noes 183, not voting 21, as follows:

[Roll No. 466]

AYES—228

Ackerman
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Cao
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eshoo
Etheridge

Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu
Yarmuth

NOES—183

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

NOT VOTING—21

Berman
Buyer
Capuano
Costello
Culberson
Davis (AL)
Delahunt
Diaz-Balart, L.
Duncan
Fallin
Hodes
Hoekstra
King (NY)
Lofgren, Zoe
Ortiz
Pence
Sanchez, Loretta
Simpson
Tiahrt
Tierney
Wamp

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in the vote.

□ 1611

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. DOYLE. Madam Speaker, I wish to inform the House that I was unavoidably detained by a medical situation and, consequently, missed the vote to approve the final version of H.R. 4213, the Unemployment Compensation Act Extension of 2010, earlier this afternoon.

I want to state for the RECORD that I would have voted in favor of the legislation today, as I did on previous occasions when it came before the House for a vote. I've been a consistent supporter of legislation to extend unemployment insurance benefits to Americans who have lost their jobs, and I regret not being here for the vote.

LEGISLATIVE PROGRAM

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

Mr. CANTOR. Madam Speaker, I yield to the gentleman from Maryland, the majority leader, for the purpose 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 p.m. on Monday. The House, on Tuesday, will meet at 9 a.m. for morning-hour debate and 10 a.m. for legislative business. 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. A complete list of suspension bills, as is the practice, will be announced by the close of business tomorrow. In addition, we will consider the Transportation and HUD appropriations bill and the Military Construction and VA appropriations bill of 2011. We're also expected to consider items from the Senate, including Senate amendments to H.R. 4899, the Supplemental Appropriations Act of 2010. There are obviously other possibilities of bills coming from the Senate, and we will consider those as time permits.

I thank the gentleman for yielding.

Mr. CANTOR. I thank the gentleman for that and would ask him if he could respond to some reports about several measures, perhaps, and the possibility of these measures coming to the floor next week, if he could give the House an update.

One would be the oil spill response legislation that's coming out of the Resources Committee, Energy and Commerce Committee, and the Ways and Means Committee; the small business taxpayer fund bill in the Senate; the FAA authorization bill from the Senate; the 9/11 compensation bill; and the Education and Labor OSHA bill relating to mining, if the gentleman could give us an update on those measures.

I yield.

Mr. HOYER. I thank the gentleman.

Rather than going into each one of them individually, I will say to the gentleman that each of those bills is under consideration. With respect to oil spills, there are significant discussions going on among the committees of jurisdiction, and we will, if we have a product to move forward, be prepared to do so.

We believe responding to the oil spill is critical. We've done so, as you know, with two bills this week, passed unanimously through the House, and so that we will be proceeding to look at the oil spill issue to try to ensure, to the extent we can, A, it doesn't happen again, and B, if it does happen, that we are prepared to respond to it and the industry is prepared to respond to it.

With respect to the other pieces of legislation, they are under discussion, some in this House and some in the Senate, as you know.

Mr. CANTOR. I thank the gentleman, and, Mr. Speaker, I would ask the gentleman if the Members should be prepared for a possible Saturday session next week.

I yield.

Mr. HOYER. I thank my friend for yielding.

Possibly. I say to my friend that, because next week is our last week and we will be recessing for the August break at that point in time, I would put Members on notice that there will be certain matters that we must complete and that we will complete and, as a result, Members ought to make sure that they have flexibility for next Saturday.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, the majority leader announced two appropriations bills for

floor consideration next week. I'd note, Mr. Speaker, that the fiscal year ends just over 2 months from now, and yet we're only now just beginning consideration of the first of 12 appropriations bills that fund the entire Federal discretionary budget. But I would ask the gentleman, Mr. Speaker, if he could tell us whether to expect those bills coming up for consideration on the floor under an open rule.

I yield.

Mr. HOYER. I thank the gentleman for yielding.

I will be talking to Mr. OBEY tomorrow and/or Monday to get his views on consideration of those bills, and at that point in time, I will be able to give you a clearer view on how those bills will be considered.

Mr. CANTOR. Mr. Speaker, I would ask the gentleman whether he could commit to the House that he would continue to advocate for an open rule. I know the gentleman has always been and joins me in wanting full and open debate in the House, whether it will be his position that these appropriations bills would come to the floor on an open rule.

I yield.

Mr. HOYER. I thank the gentleman.

As the gentleman knows full well, because he and I have been involved in discussions, I have consistently been for considering the appropriations bills in a timely manner with agreement between the majority and the minority, as occurred in 2006 when Mr. OBEY and Mr. LEWIS reached agreement on the consideration of those bills. The gentleman is accurate when he says that that is my preferred option on the consideration of appropriations bills. But, as I say, I have not talked to the chairman, and I will be talking to him to get his view on how these bills can most effectively be considered.

Mr. CANTOR. I thank the gentleman.

Turning to the issue of the troop funding bill, Mr. Speaker, the Senate sent the House the troop funding bill supplemental about 2 months ago, and it appears that that body will be sending us back the exact same version of the bill next week. I would ask the gentleman, Mr. Speaker, is that his understanding of the bill, and is it his understanding that that is the bill that we can expect the House to be voting on?

I yield.

Mr. HOYER. I thank the gentleman.

The Senate, as you know, has not completed its consideration of the supplemental and are debating other issues, some of which we sent to them, and as a matter of fact, I think some of those have the majority's support. The small business lending bill, in particular, I would hope they would bring to us.

□ 1620

We included a number of things, not the least of which is trying to ensure that 140,000 teachers around the country remain on the job for our children and for our schools. I don't know whether the Senate will include that or not.

We also included money for border security, which was not in the Senate bill. FEMA and Haiti, and oil spill money, I believe, were in the Senate bill initially. We have also included that. There are other items that we have included to try to grow jobs and expand the economy, which, unfortunately, the Senate at least at this point in time has not supported.

But I say to my friend that in light of the fact that the Senate has not yet passed the supplemental, I am not sure what's going to be in it. But I would say to the gentleman, once again, as he knows, it is my intention to ensure that the money for the troops is, in fact, passed before we leave here.

Mr. CANTOR. Mr. Speaker, that was going to be my question: When faced with the reality that the Senate will send us back the version that it did so 2 months ago, if faced with that, will the House be taking that bill up and then funding our troops before we adjourn for the recess in August?

I yield.

Mr. HOYER. I thank the gentleman.

I am going to give him the same answer: I am not going to anticipate. I find it not a very productive endeavor to anticipate what the United States Senate will do. I have been so disappointed so often on that speculation that I am not going to enter into such speculation today.

However, I will tell the gentleman, as I have said some weeks running now, that it is my intention that we will have a bill pass this House and pass the Senate, for that matter, that funds the troops prior to our leaving for our August break.

Mr. CANTOR. I am reminded by my counsel, Mr. Speaker, that, as the gentleman would probably agree, the Senate is nothing but predictable.

Mr. Speaker, as we are discussing the schedule for next week, I would like to announce the ninth YouCut vote which will take place on the House floor next week. Over 1.4 million votes have been cast to date at the Republican youcut.house.gov site.

I would say to the gentleman, four of your Members announced a series of proposed cuts this week. While the gentleman did not mention them in his schedule for next week, I would note that we have included one of their proposals in our five YouCut options for next week. The proposal offered by the gentleman from New Jersey, Mr. ADLER, would terminate the Advanced Earned Income Tax Credit, saving $1.1 billion.

The additional options for the public to vote on this week under the YouCut program include the elimination of duplicative Federal PE programs, saving $790 million; the refocusing of the National Park Service on administering Federal parks, saving $238 million of taxpayer money; the termination of funding for the DOD Innovative Readiness Training program at a $200 million savings; and the prohibition of the use of taxpayer funds for political campaigns in foreign countries, savings of $23 million.

And so with that, Mr. Speaker, I would urge the gentleman's consideration, perhaps if not at our suggestion, the suggestion of his colleagues on his side of the aisle, that perhaps maybe we should endeavor to have a vote on the floor about actually cutting spending.

Mr. HOYER. Will the gentleman yield?

Mr. CANTOR. I yield to the gentleman.

Mr. HOYER. I thank the gentleman for yielding.

Without getting into a long colloquy, and I appreciate the gentleman's trying to truncate this, let me simply say that I think the suggestions of how we can save money, how we can bring the deficit down from whatever source they come should be welcomed by all of us. Whether they come from your side of the aisle, my side of the aisle, from the public at large, Republicans, Democrats, independents, or totally nonpartisan sources whatsoever, we ought to consider them.

We have a very significant deficit problem confronting us. I won't go into the reasons of why I think we have those deficit problems, but we have them and we have been try to go dig out of a deep economic recession, as all of us know. So I simply wanted to say that, as you know, this week we did vote in a very substantial reduction, the Surface Transportation Savings Act, which passed 402–0. We cut $107 million.

Next week I expect that we are going to have at least one vote, maybe others, to cut substantial dollars. BETSY MARKEY has an idea that she has introduced that would save $703-plus million. We hope to consider that. But I want to reiterate, which is all I want to say, that we welcome ideas on how to bring the deficit down.

I mentioned, of course, earlier that Mr. KYL indicated that paying for things were not necessary if they were in the tax field. But cutting other things, the problem is, that was $678 billion that he suggested in borrowed money. And so we are going to have to look, as I said in a speech not too long ago, at all items of expenditure, wherever they may be found, to make sure that we are returned to the fiscal posture, frankly, that we were in when we had a $5.6 trillion surplus in January of 2000.

I thank the gentleman for yielding.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, I would note that we are making some progress here if we are going to avoid pointing fingers and casting blame as to why we are where we are, in the spirit of trying to move forward together and addressing the real challenges that our constituents and the people of this country are facing.

I welcome the gentleman's desire to look for ways to cut spending. I would

just reiterate that there are four individuals on his side of the aisle, Mr. ADLER of New Jersey being one, having proposed a savings of $1.1 billion that will be part of the YouCut activities over the Web this week. Mr. Speaker, if that is the winning proposal, then the gentleman will have an opportunity to join us in putting that measure to a vote. So I look forward to that next week, Mr. Speaker.

Again, I thank the gentleman for his time.

ADJOURNMENT TO MONDAY, JULY 26, 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 (Mr. BRIGHT). Is there objection to the request of the gentleman from Maryland?

There was no objection.

HONORING TERRY McGHAUHEY

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

Mr. OBERSTAR. Mr. Speaker, I rise with a very heavy heart to join fellow cyclists throughout Minnesota in mourning the untimely loss of Terry McGhauhey, father, founder, godfather, midwife, impresario of the Paul Bunyan Bicycle Trail.

It was Terry McGhauhey who, 22 years ago, saw the notice of termination of rail service along central Minnesota's area from Baxter, Minnesota, up to Hackensack, and rode out like a modern day town crier to alert communities along the trail to join together, save the right-of-way, to build the Paul Bunyan trail, which now has 650,000 users a year. Every year Terry McGhauhey mobilized group rides, engaged the business communities all along the trail to see not only the physical and outdoors enjoyment and health benefits of a bike/ped, in-line skating trail, but also to see the business opportunities that have benefited all the communities along.

We didn't expect Terry's loss. He had suffered from Parkinson's, but he was there at the helm of this year's ride, and he was already planning for next year's ride. I shall miss him greatly as a friend, a treasured participant in bicycling. All of bicycling in Minnesota will miss Terry McGhauhey.

□ 1630

AMERICA'S ECONOMIC FUTURE

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

Mr. WITTMAN. Mr. Speaker, yesterday the President of the United States signed legislation into law that dramatically alters the way our financial sector works and makes it harder for our economy to recover. Instead of bringing much-needed reforms to modernize our financial system, this law grows government again.

As The Wall Street Journal put it, ''What started as a promise to streamline and modernize the financial system turned into 2,300 pages of new agencies and new powers for the very authorities that fomented the financial crisis.''

According to a recent U.S. Chamber of Commerce study, Federal regulators will have to write 520 rules, issue 81 studies and 93 reports. I opposed this measure as it came before the House. Business owners and constituents across my district are frustrated because the policies coming from Washington create more bureaucracy and stifle job creation.

It's time that Washington focuses on commonsense principles that put Americans back to work, reduce government expansion, and get our economy back on track. We must head back in the right direction for the future of this Nation.

THE JONES ACT

(Ms. LINDA T. SÁNCHEZ of California asked and was given permission to address the House for 1 minute.)

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today in support of the Jones Act.

Enacted after World War I, the Jones Act ensures that America's domestic commerce is carried by U.S. vessels built and repaired in U.S. shipyards, and crewed and owned by U.S. citizens.

The Jones Act ensures a ready merchant marine fleet in time of war. And it prevents our economy from being dominated by foreign interests who don't pay American taxes, hire American workers, or even follow American health, safety, and environmental laws.

I would expect all patriotic Americans to support the Jones Act. In the past we have, but recently some in this body have tried to blame the Jones Act for BP's failure to clean up its own mess. Nothing could be further from the truth. There is no evidence that the Jones Act has interfered with the cleanup in any way.

We are in a recession. It's time to work together to expand American manufacturing and create jobs, not play partisan games. I urge my colleagues to stop posturing and start supporting American families by supporting the Jones Act.

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 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.)

SESAME STREET-USO EXPERIENCE FOR MILITARY FAMILIES

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. Mr. Speaker, back in May, I had the privilege of visiting Marine Corps Base Camp Lejeune in my district for a special program put on by Sesame Street and the USO. The Sesame Street-USO experience for military families is a wonderful program aimed at helping children of servicemembers understand deployments. It also helps parents talk to their children about a parent who is coming home with a changed personality or not coming home at all.

This program has spanned nine countries and 84 military bases. The Sesame Street mission is to improve the connection between parent and child during the long absence of deployment and help children understand the harsh realities of war.

During my visit, I was thrilled by the enthusiasm of the Sesame Street actors and the excitement it brought to the children as well as the parents. This was a very heartwarming experience that brought hope and understanding to the very special children of our very special parents who make up our military.

It is never easy to try to explain death or war to a child, but with the helpful tools this program uses, like a video using the Sesame Street characters explaining the death of a parent to a small child or a young person, the difficult issue becomes much easier to talk about.

I would like to thank the USO and Sesame Street for their hard work and concern for our troops. These are people that have not forgotten our men and women overseas and their brave families back home waiting for the return of their loved one. I encourage my colleagues to attend one of these shows at a base in your State or near your district. You will realize, as I did, how important this program is to our military families. It is definitely something worth seeing.

Again, I would like to say to Sesame Street and USO, thank you for making this commitment to these families. We know how difficult it is for our families going on these frequent deployments to Afghanistan and Iraq, and Sesame Street and USO, you are making a commitment that those of us in Congress are very grateful for.

Mr. Speaker, before I close, as I do always on this floor, I ask God to please bless our men and women in uniform. I ask God to please bless the families of our men and women in uniform. I ask

God in his loving arms to hold the families who have given a child dying for freedom in Afghanistan and Iraq.

Mr. Speaker, I ask God to bless the House and Senate, that we will do what is right in the eyes of God for His people. And I ask God to please give strength, wisdom, and courage to President Obama, that he will always do what is right in the eyes of God for his people. And Mr. Speaker, I will ask three times, God, please, God, please, God, please continue to bless America.

THE INTELLIGENCE BUREAUCRACY: THINKING BIG INSTEAD OF THINKING SMART

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, I imagine many of my colleagues have read The Washington Post report on ''Top Secret America,'' and I hope they are reacting as I am, with horror and outrage at the sprawling national security and intelligence bureaucracy that has grown like a weed in recent years. This series of articles should shock us into action, at the very least leading us to question the conventional wisdom about how best to keep America safe.

According to the Post, the counterterrorism and homeland security apparatus has ballooned to some 1,271 government organizations working in roughly 10,000 locations around the country. There are now so many agencies analyzing so much information and issuing so many reports that the whole thing has become redundant, unmanageable, and ineffective.

Actually, we can't measure its precise effectiveness because so much of it is shrouded in secrecy. Much of the information about these agencies is classified and therefore not subject to the scrutiny it so badly needs.

If this system, which is so big that the Post refers to it as a fourth branch of government, were a domestic social program, my friends on the other side of the aisle would call it out-of-control spending.

□ 1640

Yet somehow, when the antigovernment rhetoric starts flying, it is never the wasteful defense and intelligence programs that come in for the harshest criticism. I'd be curious to hear, for example, why we can afford this behemoth, but we can't afford to pass a comprehensive jobs package. The organizational chart for this system looks like an octopus family on steroids, Mr. Speaker, and there are so many tentacles that it makes the proper information sharing and dot connecting nearly impossible.

I couldn't help but note the irony. If memory serves me, 9/11 exposed the inability of our intelligence agencies to coordinate and communicate properly with one another. So what have we done in response to 9/11?

We've grown our intelligence infrastructure in a way that makes it even harder to coordinate and communicate.

Of course, we would tolerate a little bit of bloat if the evidence were clear that the system were working; but according to the Post's analysis, both the Fort Hood shooting and the Christmas Day bomber could have been intercepted early on if this bureaucracy hadn't been so unwieldy, so inefficient and unresponsive. The intelligence was there, but it never got into the right hands or it was lost in an avalanche of other data.

Mr. Speaker, when it comes to protecting America, we are thinking big instead of thinking smart. There has to be a better way. We can have the intelligence capabilities we need at a fraction of the current cost, and we can use much of the savings on initiatives that attack terrorism at its roots—in places where despair and hopelessness lead people to turn to terrorism in the first place. We need to dramatically increase our investment in everything from agriculture to education to democracy-building to conflict resolution in the trouble spots of the world.

Maybe if we increased our global humanitarian outreach, if we empowered nations instead of invading and occupying them, then top secret America wouldn't even be necessary.

A TRIBUTE TO SENATOR PAUL COVERDELL

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

Mr. GRAVES of Georgia. Mr. Speaker, I rise today to pay tribute to a man who was a champion from my home State of Georgia.

It has been 10 years this week since the passing of Senator Paul D. Coverdell, and I am proud to honor the life, the work, and the spirit of such an influential man today.

Described by his colleagues as a ''soft-spoken workhorse,'' his strong passion for his country was shown throughout his distinguished public service in the United States Army, the Georgia State Senate, the United States Senate, and as Director of the Peace Corps.

Senator Coverdell was a devoted hard worker who was a pioneer for the conservative movement in Georgia. Some might say he was a ''pillar of the community,'' but that is an understatement. He was the foundation upon which the pillars were built.

As a key figure in the establishment of a strong Republican Party in Georgia, he was the first Republican since Reconstruction to be reelected to the United States Senate. He was notorious for his ability to work on both sides of the aisle. He saw ways through the bitter partisanship, and he was one who was well-liked and respected by all of his colleagues.

Apart from being a brilliant man in his work, he was also a humble and kind man, characteristics that helped in the advancement of the cause that he fought for. As a testament to his humble and gentle nature, I will share with you a story about Senator Coverdell and a special friendship that he developed that would change his life.

While vacationing in Maine in 1978, Senator Coverdell decided he would look up the former chairman of the Republican National Committee, George H. W. Bush. He simply found his address in a phone book. He went to his home. He knocked on his door and he introduced himself. He introduced himself to the man who would later become the President of the United States. The pair became the closest of friends over the next 14 years, and they helped each other in many different ways. When George H. W. Bush was elected President, Senator Coverdell sent him a letter that read, ''If I can help, I'd like to help.''

It was at this time that the 41st President then appointed Senator Coverdell as Director of the Peace Corps.

Five years after his death, at the dedication of the Paul D. Coverdell Center for Biomedical and Health Sciences at the University of Georgia, President Bush said of Paul Coverdell, ''In the Washington world of bitter partisanship, Paul was, indeed, a voice of reason, always reaching out, always putting the good of the country first, always finding solutions where others may try to find blame or an issue to use as a political weapon. He was successful in bringing together people across the political aisle. I've heard it said that, to the end, Paul Coverdell was the great unifier, and so he was.''

Senator Coverdell's legacy is particularly important to me as I am the first graduate of the Coverdell Leadership Institute to be elected to the United States Congress.

Senator Coverdell founded the Coverdell Leadership Institute to support the Republican Party in Georgia through the building of the farm team through the Republican Party. At the time, Georgia was not far removed from being a single-party State. No Republican had served as Governor since Reconstruction. Senator Coverdell began working with current and future Republican leaders, training them in the practical aspects of politics and government service to ensure that, going forward, there would be a bipartisan presence among Georgia elected officials.

Today, I am especially grateful to Senator Coverdell for starting this forward-looking program that continues to be relevant and impactful today, 10 years after the Senator's death. That is certainly a life to be proud of.

From the Paul D. Coverdell Center for Biomedical and Health Sciences at my alma mater, the University of Georgia, to the Paul D. Coverdell Peace Corps headquarters building here in Washington, D.C., to the Coverdell Leadership Institute, itself, and many

other honors in between, Senator Coverdell's great legacy lives on. I ask that his life be remembered today.

HONORING THE LIFE OF COUNCILMAN WILLIE COOK

The SPEAKER pro tempore (Ms. WOOLSEY). Under a previous order of the House, the gentleman from Alabama (Mr. BRIGHT) is recognized for 5 minutes.

Mr. BRIGHT. Madam Speaker, on July 8, the city of Montgomery lost a great public servant. Councilman Willie Cook unexpectedly passed away after suffering a massive heart attack. He was only 53 years old.

Willie was not just a colleague; he was a trusted friend. Willie and I were first elected to office in the same year, 1999, and it was an honor to work in partnership with him to move our great city forward over the 9 years that we served together in the city government of our capital city of Montgomery, Alabama.

Willie was known to be a tireless advocate for those he represented in Council District 6. As the Montgomery Advertiser noted following his death, ''Cook provided a strong public voice for his constituents and was an aggressive advocate for what he perceived as their best interests.'' I couldn't agree more.

Last Thursday, Willie was laid to rest at the Montgomery Memorial Cemetery after a memorial service at the convention center. Hundreds of friends, family, and admirers were in attendance to honor the life of a great city leader. It was a fitting way to pay tribute to someone as accomplished as Willie Cook.

My thoughts and prayers continue to be with his wife, Lorna; with his children Vaneka, Benito, and Christopher; with his five grandchildren; and with his parents, Willie Cook, Jr., and Daisy, as they continue to mourn the loss of their son, their husband, and their father.

Willie will surely be missed at our State capital, Montgomery, Alabama. He truly was a friend that I served with, and he made a big difference in our State capital. So I thank you for allowing me to honor his life today.

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.)

FAIRNESS FOR SMALL BUSINESSES

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. Madam Speaker, the Joint Economic Committee, which I chair, has just issued the latest edition of our series of State-by-State snapshots of the economy. It notes that, in June, private sector employment grew in 32 States and the District of Columbia while the unemployment rate declined in 39 States and the District of Columbia. Yet the report also makes clear that our economic recovery is at a crossroads and still faces major challenges, in large part because of the staggering job losses caused by the policies of the prior administration.

You can see on this chart how a steady descent into a red valley of severe job loss began in December 2007. The red is the prior administration. The last month that the former President was in office, this country lost 790,000 jobs. The journey back up, under the Obama administration, began in early 2009 and coincided with the passage of the Recovery Act. As you can see, we have been trending in the right direction and gaining jobs these past few months.

□ 1650

It's not victory, but it certainly is movement in the right direction.

But as our report notes, even if the private sector was currently creating jobs at the rate of 217,000 jobs per month, as occurred during the Clinton administration, the highest sustained rate of job creation in our Nation's history, it will still take over 3 years to recreate the 8.5 million private sector jobs lost during the Great Recession.

The lingering high unemployment rates, particularly the long-term unemployment rate, suggest that targeted actions such as our recent extension of unemployment insurance benefits are sorely needed to support growth and provide a safety net for the millions of families hurt by the recession.

But there is still much more that Congress can and should do, particularly to help small businesses recover.

As Chairman Bernanke pointed out today, we need to find ways to provide small, credit-worthy businesses with additional lending, something that I have supported and the Democrats have supported from day one.

Small businesses and establishments, these small businesses are the backbone of the U.S. labor market. Seventy-five percent of working Americans are employed at businesses with fewer than 250 employees.

But a study earlier this year by the Joint Economic Committee found that, in the wake of the financial crisis, limited access to capital and credit continues; and it has a serious impact on small business hiring.

The tough credit standards that banks are now imposing, even on credit-worthy small businesses, have hamstrung their ability to expand and create jobs.

You can see the results of that in this chart, which the Joint Economic Committee prepared. And this chart looks at the business hiring by mid- and large businesses, and compares it with the small business hiring, which is still in decline.

In most recoveries, it is small businesses that are the first to hire. But in this recovery, we see that it is the mid-sized and the large businesses that are hiring, and that small businesses are not hiring, so they do need more support and more help in this economy.

One additional thing we should do is ensure that small businesses are able to compete fairly for the Federal contracts for which they are qualified. And the Federal Government contracts out roughly $435 billion every year. And under current law, Federal agencies are required to establish contracting goals with at least 23 percent of all government buying targeted to smaller firms, because they are the backbone; they hire the majority of Americans.

But according to an analysis prepared by the American Small Business League of Federal data, some of the ''small businesses'' that have been awarded Federal contracts under the provision for small business contracts include some of the largest companies in America. Boeing, Northrop Grumman, General Dynamics, Hewlett-Packard, AT&T and Rolls Royce. These are all extremely fine companies, but by no stretch of the imagination are these small companies.

That's why I urge my colleagues today to join me in supporting the Fairness and Transparency in Contracting Act of 2009, sponsored by my good friend and colleague, Congressman HENRY JOHNSON. H.R. 2568 would modify the definition of small businesses in the Small Business Act to include the requirement that no publicly traded company can qualify as a small business.

The SPEAKER pro tempore (Mr. BRIGHT). The time of the gentlewoman has expired.

Mrs. MALONEY. Mr. Speaker, may I request additional time?

The SPEAKER pro tempore. Under the Speaker's announced policy the Chair is constrained, not to entertain, such a request. The gentlelady's time has expired.

Mrs. MALONEY. Well, it would require the publication of a report; and, in short, it would require that small should actually mean small, and require fairness and transparency. So I urge my colleagues to join me in cosponsoring this important bill.

REPORT ON H.R. 5822, MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS BILL, 2011

Mr. EDWARDS of Texas, from the Committee on Appropriations, submitted a privileged report (Rept. No. 111–559) on the bill (H.R. 5822) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2011, and for

other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

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

(Ms. WATSON 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 the Northern Mariana Islands (Mr. SABLAN) is recognized for 5 minutes.

(Mr. SABLAN 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 Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

(Ms. ROS-LEHTINEN 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 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 Georgia (Mr. GINGREY) is recognized for 5 minutes.

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

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

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

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

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

WHERE ARE THE JOBS?

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Georgia (Mr. BROUN) is recognized for 60 minutes as the designee of the minority leader.

Mr. BROUN of Georgia. Mr. Speaker, Americans all over this country are asking, Where are the jobs? Where are the jobs?

We just heard from the previous speaker bragging about the Recovery Act, which has been an abject failure, an abject failure. There have been very few private sector jobs created around this country.

What has been created are a lot of government jobs here in Washington, DC. If someone's looking for a job here in Washington, they have a lot of opportunities because government continues to grow exponentially. Exponentially. But what's not happening are jobs are not being created out in Georgia or around this country where they're so desperately needed, private sector jobs.

I was talking to one of my county commission chairmen just recently and he said, PAUL, 1 year ago in our country, the employment rate was 14.3 percent. I said, oh my goodness.

Of course, in my district we have a very poor district, except for the two major cities, Athens and Augusta, the Augusta area and the Athens area. And this is not one of those counties.

He said, a year ago the unemployment rate was 14.3. Now it's 10.7 percent officially. And I said, that is great. Hallelujah. Praise the Lord. Where'd the jobs come from?

He said, PAUL, there aren't any jobs. People have just gotten discouraged and quit looking. They've fallen off the unemployment roles. There are no new jobs here. We're losing jobs and our people in our county are leaving. They're just disgusted. They're disappointed. And that's what's happening all over this country.

□ 1700

How do I know that? Republicans a couple of months ago launched a Web site asking the American people to speak out. It's called AmericaSpeakingOut.com. And we are asking Americans to go on AmericaSpeakingOut.com to register—it's very simple, no cost—and to tell us what we should be doing here in Congress right now today not only to create jobs, but to get the economy back on track. How to deal with health care. How to deal with the issues that the American people are facing today. We are asking America to speak out.

You see, Mr. Speaker, we live in a republic. Representative government. And the only way we can continue representative government is if Representatives listen to the American people. And I've got a sad, sad thing to say—that the leadership in this House doesn't listen to the American people.

I will give you an example. When we were debating ObamaCare, three-fourths of America did not want that bill passed. Three-fourths of America said no to ObamaCare. Two-thirds today say—at least 60 percent or more—say repeal it. Repeal it. Our leadership here in the Democratic side didn't listen to the American people. President Obama didn't listen to the American people. They forced down the throats of the American public a bill, which is now law, that was designed to fail. It's designed to fail, America.

Why do I say that? Because it was designed to push people off private health insurance, designed to push people into a what's now called a public exchange. And that's going to force people into more and more government. It's designed to lead us where the President just before ObamaCare was passed into law said that he wanted to go, where everybody in this country would be on one insurance policy. One pool is what he said. That means socialized medicine, where bureaucrats here in Washington, D.C., direct the health care for everybody in this country, to tell doctors like myself—I am a general practice medical doctor—how to practice medicine, who we can give care to, what medicines we can use, what tests we can do.

And in fact right now today, the Federal Government tells me or other physicians across this country whether we can admit a patient that's on Medicare to the hospital or not. It's not determined by the doctor or the patient; it's determined by a government bureaucrat that's not a doctor, not even a nurse or even a health care professional.

But more importantly, what is ObamaCare going to do? I spoke to just recently the head of a manufacturing entity in my district in rural north Georgia that hires over 400 people. And he said, PAUL, with the tax burden ObamaCare's going to put on me as a businessman, with all the big government programs, the stimulus bill and TARP bailouts and taking over of the private sector, he said, PAUL, I'm trying to find a place to move my company offshore, away from America.

Think about that, Mr. Speaker. If we continue down this road that this leadership and the Democrats are leading us down, that plant will close. Over 400 people in rural north Georgia will be put out of work. They're going to lose their jobs. And in fact, we knew that while we were discussing ObamaCare. We knew that it was estimated by experts that at least 5 million to 5.5 million Americans were going to lose their jobs strictly because of ObamaCare. And that has not changed. We must repeal it and replace it with something else.

I introduced a bill, H.R. 3889, comprehensive health care reform system, totally constitutional according to the original intent of the Constitution. Totally in the private sector. Would radically change healthcare financing. Would radically lower the cost of health insurance for everybody in this country. Would solve most of all of the problems with portability and uninsurability, et cetera. Would leave the doctor and patient in control of their health care decisions. It's 106 pages, a major piece of legislation, not almost 3,000 like ObamaCare was. And it's very simple. You can read it and understand what that bill says.

Our Speaker of the House, Ms. PELOSI, said we've got to pass ObamaCare to find out what's in it. Just the other day we heard about this financial reform bill that we've got to pass it to find out what's in it. The American people deserve more, Mr. Speaker. They deserve to know what's in a bill and deserve to know how it will affect them.

Mr. Speaker, we are killing jobs by bill after bill, by bigger government program by bigger government program. It's going to hurt our economy, destroy our economy. And we're borrowing from our children and our grandchildren's future.

Mr. Speaker, our children and grandchildren are very probably going to live at a lower standard than we live today if we don't stop this outrageous spending that's been going on ever since NANCY PELOSI has been Speaker of this House. And even more so since President Obama has been in office. It's got to stop. It's got to stop.

Now, I've done many America Speaking Out town hall meetings all over the 10th Congressional District in Georgia, just listening to my constituency. I have done these in small groups. We've done big town hall meetings. We've gone into factories and asked factories and companies to speak out and to tell us what we should be doing in Congress right now today. In fact, I went to the Coca-Cola plant in Athens, Georgia, and spoke to the employees there and asked them to speak to me, and encouraged them to go on AmericaSpeakingOut.com.

I did a town hall meeting in Columbia County in Evans, Georgia, and did the same thing. Did one in Athens, which is the most liberal county in my district. In fact politically, it's a speck of blue in a sea of red. It's a very Democratic county. It's where the University of Georgia is. It's a very liberal county. And I did an America Speaking Out town hall there. Invited the whole public to come, anybody who wanted to come, because I wanted to hear.

That's what America Speaking Out's all about. We want to hear what America thinks we should be dealing with here in Congress. And offer us suggestions of how to create jobs. We're asking where are the jobs? The policy that's being followed by the Democratic majority is taking away jobs. I already mentioned how ObamaCare is going to eventually put over 5 million Americans out of work, Mr. Speaker, just because of that one bill. The stimulus bill's going to put people out of work. It's put a few people to work, more government employees than private-sector employees.

But we're asking Americans to speak out, to go on AmericaSpeakingOut.com to tell us what we should be doing here in Congress today, to offer suggestions, to vote on suggestions that are already made or comments already made. Americans can make their own comment.

These are just some of the things that—these are sheets actually that my staff wrote to suggestions of legislation that people in the 10th Congressional District of Georgia suggested that we do. No energy tax. Boy, if that energy tax—I call it tax-and-trade, my Democratic colleagues call it cap-and-trade—but it's about taxes. In fact, the President himself said that his energy tax, the tax-and-trade bill is necessary to fund ObamaCare. It's all about revenue.

The experts tell us that the national energy tax is not going to reduce carbon emissions worldwide. It's going to hurt our economy, and it's going to put millions of Americans out of work. And Americans understand that. And they said no to the energy tax. No to the finance bill that was just signed into law this week. Defund ObamaCare. No to socialized medicine. Repeal ObamaCare. Pass alternatives to health care reform.

I would love to see my bill, H.R. 3889, be put into place. In fact, I reintroduced it as a repeal ObamaCare to repeal all of this onerous bill, onerous law that's going to lead to socialized medicine here in the country, as the President has said that he wants to go to, and replace it with something in the private sector to maintain the doctor-patient relationship and to lower the cost of health care for everybody. Alternatives to health care reform.

□ 1710

Keeping bills germane. The American people have told me, even the liberals, in Athens, Georgia, ''We need to have bills that are germane.'' In other words, we shouldn't tack onto bills things that aren't germane to those bills.

The House passed, and in fact we're waiting on the Senate amendments to the emergency appropriations for the war supplemental bill, a $75 billion bill. Only $33 billion of that $75 billion have to do with the military and war supplemental. All the rest of that $75 billion is bigger government programs, bigger spending, that the Democratic majority pushed through.

Americans—liberals, conservatives, independents, Republicans, Democrats—have told me, keep bills germane. No to cap-and-trade. I can go on down this list, but the overwhelming thing I heard, Mr. Speaker, where are the jobs? What are we going to do to create jobs in the private sector?

And I've heard my Democratic colleagues just speak over and over again about how great this stimulus bill has been. It's been an abject failure. Where are the jobs, Mr. Speaker? Where are the jobs, Mr. President? Where are the jobs, my colleagues on the Democratic side? They're not there. In fact, the policies and the spending that we see going on over and over again from bill after bill since this President has taken office will actually take away jobs. And it's going to push jobs and manufacturers to go overseas.

I talked to one manufacturer and asked him, What can we do to get you to start hiring employees? And he said the best thing you could do is lower my corporate income tax rate. My Democratic colleagues say that we need to tax the rich, so we need to keep those corporate tax rates high. Mr. Speaker, we have the second highest corporate tax rate in the world. It's 35 percent. Second only to Japan. In fact, I've talked to manufacturer after manufacturer and they tell me, ''Paul, if you just lower my corporate tax rate to 25 percent, that would help me be able to create jobs in my company.'' Just lower it 10 percent.

Mr. Speaker, I think corporate tax rates should be zero. In fact, Mr. Speaker, not only should corporate rates be zero but dividend taxes should be zero. Death taxes should be zero. Capital gains taxes should be zero. We should have an immediate write-off of capital expenditure for business, not have this prolonged depreciation schedule that the Internal Revenue Code forces them into. They have to write the check; they should be able to write it off. If we could change just the tax law, we would create jobs. In fact, I introduced H.R. 4100, the JOBS Act. My JOBS Act is an acronym for Jump-start Our Business Sector. What it would do is for 2 years, it would cut in half the payroll tax for business as well as for individuals. It would lower the corporate tax rate from 35 percent to 25 percent. It would suspend the death tax; suspend the dividend taxes for 2 years. And it would lower the two lowest income tax brackets down to 10 percent and 5 percent respectively.

And if you think about that, Mr. Speaker, what would that do from a monetary perspective? What it would do is it would leave dollars in the hands of small businesses and it would leave dollars in the hands of the American public; the consumers. That would give small businesses the opportunity to expand their business, to buy inventory, to modernize, to hire new employees. And it would give dollars to the consumers so that they could buy the goods and services that they need. It would give some stability to our economic situation so we don't see the stock market jumping up and down as we do today. It looks like a yo-yo. Why is that? Because there's so much uncertainty. And why is there uncertainty out there? It's because of what this Congress and what NANCY PELOSI and Company are doing right here and what Barack Obama is proposing for more and more government; more and more of the Federal Government taking over the private sector. That uncertainty is creating a lot of fear.

I've had businesses, small businesses, large businesses, in my district tell me they're sitting on cash but they're afraid to hire new employees. Why? Because of ObamaCare. Because of the debt. Because of the outrageous spending. Because of the so-called ''financial reform bill'' that was just signed into law this week. They're afraid, and I don't blame them. I've said in multiple

floor speeches here that we have a steamroller of socialism being driven by NANCY PELOSI, HARRY REID and fueled by Barack Obama. We need to put that steamroller of socialism in a parking lot. If we would do so, if we would put the steamroller of socialism that my Democratic colleagues are driving, if we would put that in a parking lot, we would put certainty back in the financial sector and we would see a growth in our economy. But with that uncertainty that our leadership of this House and the Senate and the President are giving to the private sector, we're going to see the business sector afraid; afraid to hire new people.

Some economists say we're fixing to go into a great depression. In fact, some even say we're going into a depression worse than we saw in the previous Great Depression. I hope and pray not. I pray that God prevents that. But whether we do or don't, I know this: The simple truth is bigger government, bigger government spending, more debt being created for our children and grandchildren to have to pay is not going to solve the economic problems of our country. We've got to stop the outrageous spending here that Congress has been doing, that this administration is doing, that the previous administration was doing.

I wasn't here during the first 6 years of the Bush administration. I was elected in 2007, is when I took office. But I voted against the TARP bill, the toxic asset relief program, because I thought it was wrong. It hasn't helped. The second tranche that President Obama forced through the Congress, it hasn't helped. Taking over GM and Chrysler hasn't helped. Taking over the student loan program; taking over the health care system hasn't helped. The stimulus bill has been an abject failure, by and large. The company that makes these huge signs to proclaim that Barack Obama and his policies are the messiah which costs Lord only knows how much has helped that company, but it hasn't helped the American taxpayer. It hasn't helped small businesses around this country by and large.

America Speaking Out gives the American people an opportunity to give us ideas about what they think, what America thinks about what we should be doing now to solve the problems. You see, I'm excited about the so-called ''Tea Party movement'' in this country. I've spoken to many Tea Party rallies. But, Mr. Speaker, there's a great misunderstanding, particularly in the press, particularly with my liberal friends, what the Tea Party is all about. We started a Tea Party Caucus just this week. I was one of the original signers of membership into the Tea Party Caucus. I've done a number of interviews. Just yesterday I did one on FOX. I just did one this afternoon. I've done many interviews recently. And it's very apparent to me and it's apparent to me to the questions that were asked during the news conference that we held yesterday, after the Tea Party Caucus started, that there's a tremendous misunderstanding, particularly by my liberal colleagues and by the press, about what the Tea Party movement is all about. And I'm excited about it.

The Tea Party simply is this: It's freedom-loving Americans, people who just basically want to live their lives without all the government intrusion. They're teed off. Tea in the Tea Party stands for Taxed Enough Already. It's an acronym. And they see the so-called ''jobs bill'' that my Democratic colleagues keep bringing to the floor of the House. I've already mentioned my JOBS Act which is an acronym for Jump-start Our Business Sector. I believe every one of the so-called ''jobs bills'' that my Democratic colleagues have introduced is an acronym for just one big slush fund, because that's what it seems to be.

The American people are angry. They're angry about not being listened to. They're angry about seeing their freedom being taken away; their jobs being taken away. The previous speaker during the 5-minutes was touting how great the stimulus act has been, but it's not been great. They have to try to spin how disastrous the spending bill has been. It's not created very many jobs. It's created some, but not very many. And certainly not very many in the private sector.

The American people are asking, where are the jobs? When are we going to get this economy back on course? We've seen a liberal icon, my Democratic colleagues, one of their icons, one of this country's icons, John F. Kennedy, considered to be very liberal at the time.

□ 1720

Today they'd call him a wacko, a crazy man, because he proposed tax cuts.

I hear from my Democratic colleagues that they want to tax the rich, they want to tax them even more. Well, who are the rich? It's the small businesses of this country. Most small businessmen and women file their taxes as a Sub S corporation, which means they file their business taxes on personal income taxes.

My Democratic colleagues say they're making too much money. We want it here in Washington to create a bigger government, a bigger socialistic government. And what's that going to do? It's going to kill jobs. It's going to take jobs away from millions of Americans. And my Democratic colleagues want to tax small business to the hilt. They're not happy with the high tax rates that small business are already suffering from. They want more taxes on the so-called rich, the rich of the little mom-and-pop grocery stores, the little hardware stores, the small community businesses, men's stores. It's not the Wal*Marts, the AT&Ts, the Boeings. Those aren't small businesses.

But we have developed policy, and the policy of the Democratic majority is anti-business, it's anti-freedom, it's anti-job creation. Why do they want to do that? It's because they believe, in my opinion, that government is the solution to everything. You see, they think, in my opinion, that government has to tell them how to run every aspect of their lives.

I'll give you some examples.

We've already seen where our Democratic colleagues want to tell us how much salt we can have in our food. I'm a physician, and I have prescribed low-salt diets to my patients. I don't use salt. I hardly ever pick up a salt shaker. I don't even salt watermelon or eggs when I eat those, or tomatoes. And I know as a physician we have plenty of salt for most of our bodily needs unless somebody has a particular reason that they lose salt in an abnormal way. Even athletes, for the most part, don't need salt. When I was playing football in high school, our coach would give us salt tablets. That was absolutely the wrong thing to do.

But my colleagues want to say they want to control salt in our food. They say they want to control what kind of light bulbs we can put—in fact, that's what they've done—what kind of light bulbs we can have in our lamps at home. They want to tell us what kind of cars we can drive, how much water comes out of our shower heads. They want to control every aspect of our lives, Mr. Speaker, every aspect.

There's a word for that, Mr. Speaker. That word is socialism. Central control from Washington, D.C. We have had a greater takeover of the private sector since Barack Obama's been the President of the United States than Hugo Chavez—we've had a greater takeover in the private sector in this administration than the communist dictator Hugo Chavez has nationalized the private sector in Venezuela. That's a shock to most people when you tell them that, but that's factual. We've had a greater takeover of the private sector under President Obama than Hugo Chavez has done in Venezuela.

It's got to stop. The American people are understanding that. They're sick and tired of it. They want their freedom back. They want their Nation back. They want their jobs back. They're asking where are the jobs, when are we going to put our economy back on the right track. That's what we're asking here as Republicans. We've got to stop this policy of bigger government and higher taxes, more intrusion in people's lives. And Mr. Speaker, that's all we've seen over and over again from the Democratic majority.

In fact, not all Democrats believe in that. I'll give you an example. During the debate on ObamaCare, I proposed—in fact, I wrote an op-ed along with Congressman DENT and Congressman SHADEGG—one's from Pennsylvania and one's from Arizona—challenging our Democratic colleagues to introduce a Democratic bill that I had the language for. All they had to do was write

the name of the sponsor in a blank and introduce it. It would be a Democratic bill. They could claim it to be ObamaCare.

It would do four things: cross-State-line purchases for businesses and individuals; number two, anybody in this country could join an association pool—all across the country, multiple associations—to have the opportunity to buy and own their own health insurance through the association; number three, to encourage States to set up high-risk pools to cover those who are uninsurable; and number four, to have tax fairness so that everybody in this country could deduct 100 percent of their health care and health insurance cost off their income taxes.

I had Democrat after Democrat tell me this: They said, PAUL, that makes sense. It really makes sense. But I can't do it. I can't do it because my leadership would punish me if I did. If I introduced that bill and tried to push it through the Democratic Caucus, my leadership would punish me for doing to so. I was told by Democrat after Democrat that they were focusing on only one thing, and that's ObamaCare as we know it.

The debate was over whether we were going to have a robust public option, a public option not so robust, or a public exchange. And that's what we wound up getting, which is actually ''public option lite''—public option on a diet. All three of those are geared and guaranteed to force everybody in this country into a government-controlled health insurance program controlled from Washington, D.C.

The only bipartisan vote on ObamaCare was ''no.'' We had Democrats and Republicans voting ''no.'' Every Republican voted ''no.'' Seventy-five percent of America said ''no.'' But we have it now as law because Ms. PELOSI and the Democratic leadership are not listening to America. They're not listening to America when America says, Where are the jobs? We're doing that. I'm doing that.

I hold America Speaking Out town hall meetings. Republicans are going to be doing that all over this country during this August district work period. We want to hear from America. I encourage every American who is concerned about where we're going as a Nation, that's concerned about public policy—whether you're a Democrat or a Republican, Independent, whether you're a liberal or a conservative, whether you consider yourself a moderate—I'm encouraging everybody in this country to go to AmericaSpeakingOut.com and speak out. Give us your ideas about how to solve the problems, the economic problems. Give us your ideas about how to solve this unemployment problem.

□ 1730

I want to hear. That's the reason I've done many, I have even lost count, somewhere between 10 and 20 America Speaking Out town hall meetings and meetings with small business and large groups over the last several months, and I will continue to do so. Republicans are doing that all over the country. I wish my Democratic colleagues would do the same thing and listen to the American public.

Since last August, our Democratic colleagues went and hid because of the ire of the American public, at least most of them did, a lot of them did. Some you can see that didn't, you can see the result on YouTube right now today, Mr. Speaker. There's a tremendous anger expressed all across this country to our Democratic colleagues about that bill.

I held town hall meetings last August in the 10th Congressional District in Georgia, multiple of them, and I was cheered because I was against ObamaCare. I was cheered. America has an opportunity to speak out now through americaspeakingout.com, but we need to change the policies, Mr. Speaker. We've got to stop this socialization, nationalization of our private sector. We've got to stimulate small businesses, and the only way we can do that is to give them the money they need to expand their business, to buy inventory. My jobs act, H.R. 4100, will do just that.

I hope, Mr. Speaker, that the American public that are watching right now will ask their Congressmen to cosponsor it. I ask my Democratic colleagues to cosponsor H.R. 4100, and let's make it a bipartisan jobs act, jump-start our business sector. The way I pay for all that is to take the unspent stimulus dollars to pay for the tax reduction. So it's paid for, won't create any more debt. It won't borrow from our children's and our grandchildren's future. It is a commonsense solution.

But that's not what we're getting from our Democratic colleagues. We're getting more government, more central control from Washington, bigger bureaucracy, higher taxes that are going to cost Americans jobs, send jobs overseas where people in the Philippines or in China or whatever are working and doing jobs that Americans could very well be doing. But Americans are not having the opportunity to do those jobs because the policies of NANCY PELOSI, Barack Obama, and HARRY REID are driving jobs offshore, driving jobs away from America. We've got to change those policies.

We do that through tax cuts. John Fitzgerald Kennedy, President Kennedy, cut taxes, and what happened when he did? We saw a tremendous growth of the economy. President Reagan did the same thing, tremendous growth of the economy. George W. Bush cut taxes, tremendous growth of the economy.

The leadership of the House right now, today, wants to see those tax cuts that were put in place during all the years of the Bush administration, wants to see them expire. That's going to kill more jobs here in this country, and it's going to mean that farmers and small businesses are going to have to close down and sell their assets just to pay their higher taxes that are going to be required.

I'm told from some of my Democratic colleagues that there are many Democrats that don't want to see those tax cuts expire. There's some of our Democratic colleagues that understand that allowing those tax cuts to expire at the end of this year is going to cost jobs. So, again, the bipartisan approach to creating jobs is for us to at least keep those tax cuts because the jobs that are going to go away if those tax cuts expire won't go away. So we'll save jobs.

The President has a fondness to talk about the jobs he's created or saved. Well, nobody can know how many were saved. We've seen some kind of funny finance calculations or accounting here because I know of one instance, for instance, as an example, that one company got some stimulus funds and they gave everybody in their company raises. They didn't hire any new persons, not the first new employee. But the government counted every one of those increases in wages as a new job, as a new job. That's inane. It's disingenuous. It's deceptive. That's what we see over and over again.

We've got to stop that, Mr. Speaker. The American people deserve better, and I'm excited about the grassroots movement. If you want to call it the Tea Party movement, it's not just the Tea Party Patriots, Tea Party Express, Americans for Prosperity, FreedomWorks. I can go on and on about different groups, the 9/12 Group. There are many.

What my liberal colleagues and the press don't understand is that this is a grassroots organization, an effort, in all these organizations. It's not one monolithic thing. It is American citizens all over this country in their local communities that are speaking out. They're saying that they're taxed enough already. They see their jobs going away. They want to go to work. They see that the policies that we have been handed by Barack Obama and NANCY PELOSI and HARRY REID, those policies are destroying jobs. They're putting millions of Americans out of work. And what they see is more of the same, and they don't want more of the same. They're taxed enough already. They want to see some changes. And I'm excited because I believe we're going to see some big changes in November, big changes on November 2.

See, Mr. Speaker, the most powerful political force in this country today is written about in the Constitution of the United States, and if you look at the document, if you look at the document itself, our Founding Fathers when they wrote the document, those three first words of the Constitution were bold and much, much larger, about four times larger, three or four times larger than all the rest of the text. What are those three words? ''We the People.''

We the people are speaking. They're saying, Where are the jobs? Republicans are saying, Where are the jobs? What I'm hearing from the leadership on the other side, from Ms. PELOSI and company, We're going to give you more government, more taxes, more government control, bigger government, more government jobs, but less in the private sector is what the bottom line's going to be.

Mr. Speaker, we've got to stop this. We've got to stop growing government and shrink it. We've got to stop this outrageous spending. We've got to repeal or replace ObamaCare with commonsense solutions that will maintain the quality of health care in this country, continue to allow the doctors and the patients to make decisions instead of some Washington bureaucrat, which is going to happen under ObamaCare.

We've got to stop bailing out Wall Street and start bailing out small businesses by giving them the money that they need by allowing them to do business and leave the dollars in their pockets. Mr. Speaker, that's what's going to create new jobs. That's what's going to put our economy back on track. That's what's going to solve this economic downturn.

I heard, when the President signed the financial reform bill—so-called, which it's not. It puts in place permanent bailouts for Wall Street. It's going to hurt Main Street banks, the community banks. It's going to create bigger bureaucracy, more government jobs.

□ 1740

It is going to make it more difficult for small businesses to go to their local banker and get a loan.

The President, my liberal colleagues, blamed a lack of financial regulations on the economic downturn, but that is not what caused the economic downturn. They are blind. They want to blame, as the previous speaker to me just blamed, the Bush administration. That is what I keep hearing. It is all Bush's fault. When are they going to take time?

Mr. Speaker, when is Ms. PELOSI going to take responsibility? When is Barack Obama going to take responsibility for the disastrous, disastrous policies that they are forcing down the throats of the American people? It is past time for them to take responsibility, but they are not doing it.

They are blaming the Bush administration. What caused the financial collapse was the government. It is the Community Reinvestment Act, Freddy and Fannie, poor Fed policy.

There is some blame an Wall Street, absolutely. There is some blame, even in Main Street, Main Street banks. Greed is part of the cause of that, but it was policy that was established by Congress under the Carter administration with the Community Reinvestment Act, then a reform, so-called reform, which essentially forced banks to make loans to people who couldn't pay it back.

Then we have Freddie and Fannie who would buy off those loans, poor Fed policy, that kept the interest rates low so that Freddie and Fannie could set up these no-documentation or low-documentation loans. That is what created the bubble and the burst.

So it is government. Mr. Speaker, the best way to control quantity, quality and cost of all goods and services is a free enterprise system, unencumbered by taxes and regulations. You have two things. On the one hand you have government control, socialism. On the other hand you have the free market system, and the free market system will create jobs if we will allow it to do so.

That is not what we are getting. We are getting bigger government, which is going to kill jobs. We need to stop that, Mr. Speaker. We need to create what has made this country so rich, so powerful, so successful as a political experiment in all of history. We have got to go back to those foundational principles, those foundational principles that are expressed in the Declaration of Independence and embodied in the governing force in the Constitution of the United States, as it was intended.

Psalm 11, God asked a question. He says, if foundation should be destroyed, what are the righteous to do? God goes on talking about that He is sovereign and He reigns.

But how does He reign in public policy? How does He reign in this country? Well, certainly our Creator reigns supernaturally, but He also reigns through those of us who know Him as Lord and Savior, those of us who look to our Creator for direction, those of us who look to the Judeo-Christian principles that our Founding Fathers held so firmly. And those principles are based on personal responsibility and accountability. Those principles are based on the free market system, on free enterprise, where people have the ability and opportunity to succeed.

But they also have an opportunity to fail. Without an opportunity to fail, you don't have an opportunity to succeed. We see class warfare by our Democratic colleagues, where they hate the rich. They want to tax them to the hilt. They want to have a redistribution of wealth, as President Obama keeps talking about.

But what is he saying? He is saying that he knows how to run everything in human endeavor. That is what the leadership here believes. They believe in central planning. They believe government knows best. They believe that government should tell us what to eat, what car to drive, and how to live our lives and what kind of health care we can have.

Those policies destroy the free market, destroy small business. We see examples all over the world. Socialism has never worked, never will work, and I don't care whose socialism it is, whether it is Stalin's, Mao Zedong's, Castro's, Hugo Chavez's or Barack Obama's. It is not going to work; it never will work.

We have got to stop it, and it is up to the American people to stop it. The American people need to speak out. Go on americaspeakingout.com. Demand from your Congressman, your Senator, that we stop this inane policy of creating bigger government, higher taxes, more regulation, more government, more control from Washington.

Say ''no'' to all of that and say ''yes'' to tax cuts, to the free market system, to freedom. They want socialism. I want freedom. America wants freedom. We have got to demand it, Mr. Speaker, and it is up to the American people to do so. America can speak out, can speak out to my Democrat colleagues, can speak out to the President, can speak out to their Senators, speak out by going on americaspeakingout.com. Demand policy that's going to create jobs.

I see I have been joined by my great friend and an excellent Member of this body and the Republican Conference, my good friend, STEVE SCALISE from New Orleans, Louisiana. He knows about this inane, disastrous policy that this administration has put in place, how it has killed jobs in Louisiana throughout the gulf coast, directly as well as indirectly.

Mr. SCALISE, thanks for joining us.

Mr. SCALISE. I want to thank my colleague from Georgia for yielding and for talking about this important issue.

When we talk about jobs, today we had a long debate here on the House floor about unemployment. And, of course, if you look at what's been happening this last year and a half, the policies that have been brought forward by this President and by this leadership here and the people that are running this Congress, these policies have been creating a lot of the unemployment we have today; and you look, since the stimulus bill passed a year and a half ago that you and I opposed because we knew that it would be doing nothing other than growing the size of government, $787 billion of money that we didn't have, that was not only spent to grow the size of government, but the President said it had to be spent to keep unemployment from breaking 8 percent.

Of course, now we are approaching 10 percent unemployment after that bill, after that massive amount of debt dumped onto the backs of our children and grandchildren. And then we look at more and more policies that have been coming since then that are eroding, eroding the economic base of this country.

Of course, we are experiencing some very direct consequences firsthand in our State of Louisiana because of the President's ill-advised moratorium on energy exploration. The President came up with this plan after the explosion of the Deepwater Horizon tragic event that was both a human tragedy and now an environmental tragedy,

which the President still to this day is not doing his job under the law in helping direct the effort to keep the oil off our marsh, which our local leaders are battling to do every day.

Unfortunately, our local leaders tell us—and I have spoken to them. Anybody who speaks to them will tell you they are spending more of their time fighting the Federal Government than fighting the oil. But the biggest insult lately has been this moratorium because the moratorium, first of all, was actually opposed by the scientists and experts that the President put together after the explosion of that oil rig.

They were tasked by the President to come up with a 30-day report on safety improvements. They actually came back with that 30-day report, and they made some good safety recommendations that I support. But the other thing they said was they opposed the moratorium on drilling that the President came out with.

So when the President gets this report, he doesn't agree with it because for political reasons he wants to go and ban drilling, so he just discarded the science and trumped it with politics. Not only did they say in that report that they were opposed to the moratorium. I have spoken to a few of those scientists and experts and they said, they lay out a good case why the moratorium imposed by the President actually reduces safety in the gulf.

So here you have got a double whammy kicking people when they are down. The people of south Louisiana are down, and yet the President who is supposed to be helping us is coming up with policies that are hurting the people of south Louisiana. Then this moratorium, not only does it go against the safety recommendations of his own scientific experts, but it actually now is costing us thousands of jobs.

□ 1750

There was an unemployment debate going on in this House today. Well, one of the reasons we've got unemployment is because of the President's policies. He should rescind that moratorium. A Federal court twice now told him to rescind it, and he refuses to do so. He refuses to listen to his own scientific experts who say it actually reduces safety in the gulf because you lose your most experienced crews. You actually increase our dependence on foreign oil, and it's imported by tankers. And 70 percent of all the oil spills occur on tankers. So now the President has increased the likelihood for future spills in the gulf with his moratorium that's running more jobs out of our country. And I yield back.

Mr. BROUN of Georgia. Thank you, Mr. SCALISE, I appreciate that. And not only is it killing jobs, but it's going to make everybody's gasoline go up. It's going to make electricity prices go up.

I said here on the floor in a speech that the President's energy tax, cap and tax—or cap and trade, as they call it, some call it cap-and-tax, I call it tax and trade because it's all about taxes—is going to hurt the most vulnerable people here in America. It's going to hurt the poor people. It's going to hurt the seniors who are on limited income more than anybody else. And it seems to me that this disastrous economic as well as environmental disaster that has happened in the gulf is being utilized by this President to try to force his energy policy, his tax and trade bill.

I've been criticized by the liberals around the country because I've said it's going to hurt the poorest people in this country, and it will. In fact, the President himself said, ''It will necessarily make electricity prices skyrocket,'' make electricity prices skyrocket, necessarily, that's what the President said about the energy tax. It would necessarily make electricity prices skyrocket. Who's going to have the hardest time paying their electric bill? The poor folks in America, those people on limited income, the senior citizens, who can least afford to have their gasoline go up, to have their electricity go up. It's going to be disastrous. And it's going to kill jobs.

In fact, the President talks about all the green jobs that are going to be produced. Spain put in a similar type of tax, a similar kind of policy in Spain, and it did produce green jobs. But Mr. Speaker, for every green job produced I think it was 2.3 jobs were lost, a net loss of 2.3 jobs for every job that was created. For every green job that was created, every green job created they lost 2.3 jobs. And that's what our President wants to force on the American public.

I'm wondering whether he's closing down exploration in the gulf just to try to force through his energy tax. I don't know. But I've had people, as I've listened at my America Speaking Out town hall meetings I've had people across my district say that they wonder about that. I was doing an America Speaking Out town hall meeting in Athens, Georgia and a lady got up and she said she wanted to see all new energy exploration stopped, all new drilling for energy and gas to stop in this country. We had about 100 people there. I said, okay, let's find out what everybody else thinks. Now, mind you this is the most liberal county in my district, very Democratic. I didn't carry it as a Republican in any of my elections when there was a Democrat and Republican on the ballot. I did carry it in the special election when I was first elected, but not since. And I asked the public, we invited the general public, I said, how many of you in this audience want to see us stop any new exploration of oil and gas? Eight people held up their hands. Then I said, how many of you want to see us lift the moratorium and start back to exploring and tapping into our own resources here in America and continue drilling for oil and gas and continue developing our own natural resources our own energy sources? Everybody else. I think we had a total of 98 folks, so 90 people held up their hands that they wanted to see it continue, eight people said they wanted to see it stopped.

Over and over again I've talked during this special hour about how the leadership—Ms. PELOSI and company—have gone against what the American people want. They want to see jobs created. We asked them, where are the jobs? They want to see their economy stimulated, not government. We asked them that.

Mr. SCALISE, I know that you've seen the disaster of the moratorium on the jobs in Louisiana, but it affects all the Gulf Coast States certainly, not only directly, but indirectly. In just the few minutes we have left, could you give us some examples of some of those non-directly affected people, the fishermen, the people on the platforms, et cetera, could you give us some examples of those people who have been affected by this moratorium?

Mr. SCALISE. Sure, I would be happy to share that with my colleague from Georgia.

Of course Speaker PELOSI earlier today, during the debate, she actually said that unemployment creates jobs. Now, the logic of that I don't think anybody can understand, but that's what her statement was.

Mr. BROUN of Georgia. Real quickly, the people I talk to don't want an unemployment check, they want a paycheck. And I yield back.

Mr. SCALISE. And that's exactly what the people in the gulf want. The people don't want an unemployment check, they want jobs. They've got good jobs, and they're being taken away by the President. And what they've said is keep this industry going, let's do it safely. And there are good outlines of how to do it safely. In fact, most of the companies out there in the gulf in even deeper waters than BP weren't cutting corners, weren't doing things the wrong way. They were doing everything safe, and they were shut down. BP is the only one out there drilling right now.

If you listened, we had tragic testimony from two of the widows who lost their husbands in that explosion in the committee I serve on. And both of them said it's tragic what happened. The rules should have been enforced that weren't enforced, the safety rules should have been followed. But they said don't shut down this industry, it's our way of life. We know it can be done safely. You need to insist that those rules are enforced, which they weren't. Don't shut down the industry.

Mr. BROUN of Georgia. Mr. Speaker, where are the jobs? We need to have different policies to create jobs than what we've been given by Ms. PELOSI and company.

I yield back.

PROGRESSIVE CAUCUS

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

60 minutes as the designee of the majority leader.

Mr. ELLISON. Well, Mr. Speaker, I will claim the time on behalf of the Progressive Caucus tonight to bring a progressive vision about our great country.

My friend poses the question, where are the jobs? That's a good question coming from the Republican Caucus because they're the ones who destroyed the jobs. The fact is, the Democratic Caucus has been rebuilding jobs, and I have proof.

Now, if you look at this graph, very simple graph, what it shows is—the red is under the Bush administration, under the Republican Caucus. And as you can see, December of 2007 we see a steady decline in the number of jobs with the Bush administration. The Bush administration, because of policies of not regulating Wall Street, because of allowing the industry just to run wild, because of tax cuts to the wealthiest Americans, because of deficit spending—they paid for two wars—a giveaway to the pharmaceutical industry, and massive tax cuts—over $700 billion in tax cuts which they never paid for—we saw a decline in American jobs. And then when the Obama administration comes in, we see ourselves digging out of this hole. It's slow, it's tough, it's very, very tough to come out and clean things up after the Republican Caucus has been in power. You know, the toughest job in the circus is cleaning up after the elephants. But the fact is that you see the Obama administration and the Democratic Caucus digging us out of this recession.

Private-sector jobs have increased for 6 straight months. Where are the jobs? Well, the Republicans should know where the jobs were; they're the ones who said we favor the rich over everyone else, we favor the privileged, the comfortable over everyone else. The working people have to go figure out what they're going to do because we're in it for the wealthy.

□ 1800

The fact is the Democratic Caucus is helping to pull our country out of this situation. Again, it was proven on the House floor today, Mr. Speaker, because today what we saw on the House floor were the Democrats who moved to pass the unemployment insurance extension. Our Republican colleagues, our friends in the party opposite, despite all of their highest pronouncements, said ''no'' to the American people who are in dire straits.

What kind of heart is that?

You know, Mr. Speaker, I wanted to talk a little bit about our economy today, but I think more of what we're talking about today are values and who values what. We are talking about values—the value of how you rate one kind of person versus another.

The Republican Caucus says they're for tax cuts. We heard my friend in the party opposite say a little while ago he is for tax cuts. I find the gentleman a fine person and a pleasure to work with personally, but we couldn't disagree more when it comes to economic policy. He says he likes tax cuts—not when it comes to working people's tax cuts.

The American Recovery and Reinvestment Act gave tax cuts to 95 percent of Americans. Ninety-five percent of Americans got tax cuts under the Recovery Act. Guess how many Republicans voted for it? Zero percent.

They don't like tax cuts for working people, only for really, really rich people. The reason is that they believe the rich folks who get all of the tax cuts are going to use those tax cuts, you know, after they've bought enough yachts and enough houses and enough Tiffany watches and stuff like that. They might just use some of it to, maybe, invest in a factory or something. That's what they think is going to happen. It never happens that way, but that's what they think is going to happen. It's called ''trickle down.'' There is even a name for this kind of economics that the Republican Caucus is so very in love with.

They talk about John F. Kennedy. It's amazing to hear these guys talk about how much they love John F. Kennedy because of tax cuts. Look, the Democratic Caucus is not anti tax cuts. It is important for the American people to know we're not against tax cuts. If tax cuts to the middle class will help stimulate the economy, we will do it. We have done it. We couldn't get any support from them when we did do it, but the fact is this is another sort of distortion that our colleagues are just absolutely committed to telling the American people—that Democrats don't like tax cuts. Yeah, we're fine with tax cuts, but we want fair tax cuts. We want tax cuts that actually stimulate the economy.

Here is an economic lesson for you:

If you want to stimulate the economy, do you give a tax cut to the people who need the money and who will take it and then buy things with it? Then at the stores where they bought them, there will be business at those stores, and at those stores, the people who work there will see some revenue coming into the stores, and the owners of the stores will be able to, therefore, continue keeping people on the payroll.

On the other hand, do you give the money to people who don't need it, who are wealthy by all definition, who can just let that money sit there or buy luxury items that they really don't need? Maybe they'll just go out and buy up other companies—mergers and acquisitions—stuff like that.

The fact is, if you want to stimulate the economy, you give a tax cut to the middle class and to the working class, not to the very rich people. That's what the Democrats did. That's what the Republicans absolutely oppose. That's what they are against. The fact is it is wrong. It is incorrect. It is bad policy. You would think they would know better. The Republicans are just not good at economics. They are good at other things, but economics they're not so good at.

During the time that the Republican Caucus was in control, you know, they cut taxes and gave us the biggest deficit this country has seen. Yet, when they came into office, they inherited one of the biggest surpluses we have seen. Yes, it's true. Bill Clinton left the Republican Caucus a surplus. They came in well above the water, and they handed things over well below.

The American people don't have short memories. We remember 2006. Do they think we forgot? Do they think we forgot who would not regulate predatory loans? The American people know that the House, the Senate, and the White House were controlled by the Republicans from 2000 to 2006 as the American people were being preyed upon by unscrupulous lenders who were pushing loans on them, deceiving them, tricking them into deceptive practices in lending, which really set the stage for the recession that we are in. As soon as they couldn't refinance their homes again, they couldn't afford those mortgages as they ballooned upward, we began to see the foreclosure crisis. That's what happened, but our friends who don't like regulation say, Give us the wheel back.

Interesting.

Now, as I said, I respect my colleagues. I think they are good people. The question is not who is a nice guy and who isn't. That is not the issue, but here is a fact for you. Here is a quote from Congressman PETE SESSIONS, a Republican from Texas.

This is a question from David Gregory, the journalist. David Gregory: I think what a lot of people want to know is, if Republicans do get back in power, what are they going to do?

You hear these guys in the party opposite, Oh, give us back the reins of power. Let us be in the majority. Let us rule this place. We know what to do.

They act like they have the answers.

Well, one of their caucus leaders says: We need to go back to the exact same agenda.

Really? Oh, my goodness. Do you mean to tell me we need to go back to some more wars that we don't pay for? Do you mean that we need to get back into another Iraq? They're actually looking for another Iraq right now. Another Iraq? $10 billion a month that war cost us, and they offered us reasons to go, and none of them were true. So, literally, 4,500 young people later—Americans later—and $1 trillion later, that is what their war in Iraq has given us—disaster. It was absolutely the worst foreign policy failure in American history.

More of the same? Oh, my goodness. We're going to have a pharmaceutical giveaway to the tune of $400 billion. Again? That's their answer to health care. As they stand up here and talk about ObamaCare and as they beat on the health care bill, do you know that Americans are benefiting from the

health care bill already, and yet they want us to go back to the time before health care reform when 56 percent of all bankruptcy filings were from people who were suffering the load of medical debt? This is what they want the American people to go back to.

My friend from Texas says: We need to go back to the exact same agenda.

Oh, no. It's just better to keep the Republican Caucus over there, in the minority, complaining about everything that we do, without helping at all, but at least they can't do much harm if they're not in the majority.

David Gregory asked: I think what a lot of people want to know is, if the Republicans do get back into power, what are they going to do?

You heard it right from their caucus leadership: More of the same.

Why were the Republicans literally thrown out of office in 2006? Why were they tossed out? Why did the American people chase them out? Because of their absolute failure on every measure of governance.

Now, you shouldn't be surprised that the Republicans are bad at governing. They don't like government. They have nothing good to say about it. They think government is the problem, and of course, it's hard to be good at anything you don't believe in in principle. So they're not good at governing. They might be good at other things. I think, a few years in the past, they had a pretty good congressional baseball team, but when it comes to governing, they're just not very good at it. The proof is, whenever they're in power, we have failure in government.

If you wonder what they're doing, we need to go back to more of the same agenda. I am so grateful for my friend from Texas' candor because he has pretty much told us what we have to expect. See, the Republican Caucus, they try to argue that they should be running things. All they want to do is shine the light on the Democratic Caucus and on President Obama and ask, Did President Obama and the Democrats create heaven on Earth within 2 years? That's what they want the American people to ask. Did they create heaven on Earth in 2 years? If they didn't, then let us run it.

But you know what? That is not what's at stake. It is either the Democrats' working out the problems and the failures of their leadership or the Republicans, who created the failure in the first place.

Imagine somebody who is out in the middle of a loch, drowning. A lifeguard swims out there to grab him, holds onto him and pushes him in, and then has to push on his chest to get him back in shape.

Then the person who failed to save the other person, the other lifeguard who sat around and didn't do the right thing, says, You're pushing too hard.

I say, Wait a minute, man. I'm over here, trying to save a life that you almost lost, and you're over here, confused about how it's being done.

The fact of the matter is the Democratic Caucus is investing in Americans, in green energy, in human capital. It is investing in our infrastructure. It is investing in small business, and we are slowly seeing ourselves climb back to the America that we knew before the Bush era as we see jobs going in this upward direction—clear and unmistakable progress.

□ 1810

A similar graph that I would like to show you, that goes to show how Democrats, despite difficult circumstances, because the Republicans have done massive damage to the economy, are bringing things back is this one. This graph shows net change in private payroll employment between 2004 and 2010. And this is thousands of jobs, so just add a couple of zeros after you see these 200, 400, just add a couple of, three more zeros. You see things really plummet because of the Republicans, and now you see Democrats pulling the economy back in shape, and we're back up to where we should be going. So that's a little bit.

Now, here's another fact I think is important for the American people to know. The economy has been picking up. In fact, this graph shows that after-tax profits in billions, the property insurance after-tax profits in billions. Profitability has been going up, going up.

The fact is that American GDP has been increasing. American gross domestic product has been increasing. The economy is starting to pick up. Unemployment is still unacceptably high. More has got to be done. I want to talk about that in a minute. But the fact is that things are headed in the right direction.

So when you hear Republicans stand up and complain about what Democrats are doing, and all they're doing is complaining about what we're doing, you should look at the numbers. The numbers are going in the right direction. The jobs are being added. Gross domestic product has been increasing, and we see the economy going in the proper direction.

It's Republican support for special interests, Republican support to the most privileged and wealthy, the Republican support for all of these types of special interest things that has landed us in this problem; and it is Democratic resolve, along with the will of the American people, that is getting us back into the right spot.

Should we go back? Absolutely not.

Now, my friend in the party opposite, before he gave up the microphone, he said something that really must be challenged. You might have heard him say, oh, you know what, if the tax cuts expire, if the Bush tax cuts expire, then what's going to happen is that the farmers are going to have to sell their farms in order to pay the taxes. You heard him say that. He said, Mr. BROUN, fine man, but we just disagree bitterly on the issues.

He said that if the Bush tax cuts are not extended, or if they're allowed to expire, then farmers will have to sell their farms to pay payroll taxes.

Now, you know, this is the whole debate about the estate tax. And it's very important to remember that the Republicans argued this thing before, and they were challenged. The reporters, smart reporters said, okay, you guys are talking about saving the family farm, because it's always about poor people and the family farm. That's always why they say they do what they do, but it never really is.

But the fact is that they were challenged. Find one family farm that has been taken away for taxes. They couldn't find one because it just isn't so.

These Bush tax cuts, the ones that help the middle class, the Democratic Caucus, we believe, need to be saved. The ones that only benefit the well-to-do and the rich folks who've benefited so much by being in this great country, we think they ought to be allowed to expire and go back to rates that were quite similar to what they were during the Clinton days. It makes sense to me, and I think it's what we should do.

Now, I just want to talk a little bit about unemployment insurance extension. It's an important issue. Today the House passed the Senate amendments to H.R. 4213, the Unemployment Compensation Extension Act, and this emergency legislation will extend unemployment insurance benefits to millions of American families, 2.5 million, in fact. This is an important piece of legislation, and now it's on its way to the President's office.

Now, I reemphasize that it's emergency legislation. Because it's emergency legislation, it's not set off, we don't have to find a pay-for in the budget. We basically find the money, even if we have to borrow it to make sure that Americans have the money they need to make ends meet.

This is money, this is money that will go to groceries. It will go to buying eggs, it will go to buying bread, it will go to buying oatmeal. It will go to buying cereal. It will buy toilet paper, basic household items. That's what people do with their unemployment insurance money. That's what they do with it. That's what folks do.

And it's amazing to me that my Republican colleagues would say that, no, it should be set off, because the fact is they didn't want to set off all of that money, they didn't want to set off all that money they gave away during the Bush tax cuts, over $700 billion, plus another $400 billion for the big prescription drug giveaway to Pharma, plus two wars that they didn't want to pay for.

But now, when people are in an emergency situation, people are having to live with family, people are facing foreclosure, people are facing bankruptcy, people are in real trouble when they're out of work and their unemployment runs out, now our friends say, no, we

can't open up the wallet. We've got to worry about the deficit. You know, we can't help you.

This is an amazing thing. It's an emergency for people out there, and so we should act accordingly.

Republicans have blocked this bill for more than 7 weeks. They have literally stood in the way. In fact, this bill could have been done earlier this week, but the Senate Republican delay tactics stopped it, up until we're able to pass it today.

Republicans have blocked this bill for 7 weeks, causing an estimated 2.5 million Americans—actually, it's more than that. Congresswoman DONNA EDWARDS has it to the person, and she's got a Web site that tabulates it to the individual person. Families.

And the fact is that it's more than 2.5 million families to lose their lifeline that they have earned through their work during their economic work years.

It's important to bear in mind that unemployment insurance is insurance. It's not a giveaway. It's not a hand out.

And it is galling and appalling and downright insensitive and insulting for anyone to imply that people who receive unemployment insurance are lazy. Yet, you have heard people in the party opposite say that folks just don't want to work and they're just sitting up and not really trying to find a job. That is really ridiculous.

There are five people applying for every one job. There's not enough jobs. We're trying to create more. The unemployment rate is unacceptably high. Democrats are committed to chopping that rate way down.

But the fact is that until we're able to do that, we need real support, and folks need to get in there and get some unemployment benefits so they can make it.

□ 1820

The bill, which is virtually identical to the one the House passed, the Restoration of Emergency Unemployment Act, would extend emergency unemployment compensation and extend benefits for programs through November 30, 2010. So it's a short reprieve. I mean it's unfortunate, but folks will benefit from the short period of time of the help.

Now, unemployment benefits have periods of time, some longer, some shorter. But there are a lot of people who will benefit because benefits will be retroactively restored to people who started losing their benefits at the end of May. They will be retroactively restored. Important to point out as the Republicans are saying, yes, we gave all of our friends buckets and buckets of money, but we've got nothing for you, Sam and Jane and your two kids, we can't help you. You lost your job. Good luck. Can't do any deficit spending, you know.

But the fact is that these folks, some of them have been worried what are they going to do because they have been without these benefits since May. Now they are going to be retroactively restored. Very important. Very, very pleased to be able to report that.

Republicans continue to fight for hundreds of billions of dollars in deficit-busting tax cuts. The Bush tax cuts were never paid for, and yet they want to oppose us extending unemployment insurance benefits to hard-working Americans.

The fact is that unemployment insurance benefits really are something that help to stimulate the economy. It's not the best way to do it; having a job is. That's obvious. But every dollar in unemployment benefits creates at least $1.61 in economic activity. So every $1 in unemployment benefits, $1.61 goes into our economy. That's a lot of money. It's obvious why. Let's just say somebody has no money. They are going to a food shelter. They are not getting anything at all. They are surviving on the charity of others, or the best they can. But if they have unemployment insurance benefits, which they earned because they worked, then they have money to go to the store and they buy something. And at the store, that then helps stimulate the economy because you are spending a real source of revenue with somebody, which helps them maintain and add to their employment rolls.

This is a very important fact. We should know about it. And this is something that chief economist Mark Zandi, who is a pretty conservative guy himself, had to say before the House Budget Committee back on September 1. ''The nonpartisan Congressional Budget Office has found extending unemployment benefits to be one of the most cost-effective and fast-acting ways to stimulate the economy, creating, they said, up to $1.90 in economic activity for every dollar.'' So Mark Zandi says $1.61, the Congressional Budget Office says $1.90. The fact is these things are hard to know with exact specificity, but the reality is that both agree, there is a consensus among economic experts that unemployment insurance benefits benefit the economy as a whole.

Unemployment benefits were responsible for creating 1.1 million jobs since the recession started, and adding 1.7 percent to the gross domestic product of our country. Unemployment insurance benefits has a stimulative effect on the economy. There's no doubt about it. So the Republican Caucus trying to stop it really is dangerous to the economy. Not only to the individual family, not just to Jane and Sam and their two kids, who are unemployed and need those benefits, but also to all of us as a whole.

And let me just explain one reason why. Our economy is one where corporate profits, as I just pointed out before, have been up in the first quarter of 2010, up about 43 percent. There's a lot of firms that are sitting on cash. They have money. But they haven't really added to their payrolls. Why? Because they're nervous. The consumer demand is still weak. Consumer demand is not robust and strong. They're not really seeing the volume in sales that they've seen in the past because consumer demand is weak.

Now, if our Republicans had their way what they would do is take unemployment benefits from people, which would then do what to demand? Lower it. Which would then make the firms think what? Oh, my God, I really got to sit on this cash because I just don't know what's going to happen next. So unemployment benefits have the effect of priming the pump, of getting the economy stimulated and moving. And not having them not only creates a crisis for an individual family, but even worse than that, it creates a crisis for the economy because firms who have cash and are looking to add people but who are cautious and nervous are thinking, hey, you know, sales volume has gone down, I better not spend this money to add on more workers. It's very important to understand that psychology and economics are tightly tied together.

Most employers, by the way, particularly small employers, are very, very reluctant to want to lay people off. I mean it's always said for any employer with a heart—and most of them have them. They are people. They don't want to lay anybody off. But when they do, it's tough. And it's nothing you want to go back to. So you want to be real confident that you can sustain those extra workers before you add on more people. This has to do with consumer confidence, which has to do with things like unemployment insurance. And therefore, my point is that you need—not only is it a crisis for the individual family when you don't extend those benefits, it is a crisis for our economy because it undermines confidence and consumer demand, which our economy needs.

So, I think it's important that the American people know this and they know that when the Republicans, particularly the ones who are always, you know, acting really religious and more holy than everybody else, they're voting against unemployment insurance, that's really kind of a head scratcher to me.

Anyway, today there are 15 million people out of work who got an extension of unemployment benefits. Today 15 million people, 15 million people out of work got an extension of unemployment benefits, which contribute to paying mortgages, health care bills, utility bills, food costs, eggs, groceries, cereal for the kids.

The Democrats' unemployment bill provides up to—and it is the Democrats' unemployment bill, by the way. Republicans want no part of it. They don't want to be part of the unemployment bill. So it gets to be our bill. We would love to share it, but they didn't want any. The Democratic unemployment bill provides up to 99 weekly unemployment checks averaging about

$300 to people whose 26 weeks of State-paid benefits have run out. The benefits would be extended through the end of November 30. November 30, as I said.

In the new Washington Post-ABC News poll that was released just a few days ago, more than 6 in 10 Americans, 62 percent, support Congress's action to extend unemployment benefits for jobless workers. Now, 62 percent is a lot. That's a very healthy, strong majority of Americans. And I daresay, you know, I'm glad I voted for the bill, because I wouldn't want to go back to my constituents, unemployed people, and say I know you needed help, but I wasn't there for you. Sorry.

Earlier this month the House passed the Restoration of the Emergency Unemployment Compensation Act to restore and extend emergency unemployment benefits. That was passed again today, and now it's off to the President. Eighty-three percent of Republicans opposed the bill. Eighty-three percent of the Republicans said we can't do anything for you, Sam and Jane. You are on your own. If you are well to do and need a tax cut, then we can talk. But if you are not rich, we really, really don't have any time to help you out. We've got to worry about the deficit. Not that we have to worry about the deficit if you are part of the top 1 percent. But if you're not, then we've got a deficit, and we can't help you out.

The analysis of the nonpartisan Congressional Budget Office, as I mentioned before, suggests that extending unemployment benefits is one of the most cost-effective and fast-acting ways to get the economy moving again. It's something that we've got to do, and it's something that we need to do right away to make sure that our economy is strong, and make sure that Americans are getting back to work. Very important. And I'm so glad we are here to talk about it.

Now, one of the things that my Republican friends like to say is that they only want private jobs, they don't want public jobs. But I want to bust that myth up for folks tonight, Mr. Speaker, because public jobs are important jobs. Are they saying they don't like police? Are they saying they are against teachers? Are they saying that they don't want anybody to fix the roads? And the potholes all over the place, just fine? Are they saying they don't want people to fix the bridges and they don't think that these bridges need to be painted so they don't get corrosion? And they don't think those gusset plates holding those bridges up need to be replaced so they don't fall down like they did in my State of Minnesota? I just don't understand what they mean when they start attacking public jobs.

I actually have to confess to you, Mr. Speaker, that I resent it when they attack public workers. I think public workers do great work. I think public workers do a great service for the American people. When I had a break-in at my house, I called a public worker, also known as a police officer, and that officer came to my house. He took down my report. He took the report of all the things that that thief had taken from us. And he was cordial, and he was kind, and I felt a whole lot better seeing him there.

□ 1830

He's a public worker. And it is public workers just like that police officer who are facing layoffs all across America.

What about teachers? They don't like teachers? We're seeing classroom sizes increase and increase. There are over 250,000 teachers facing layoffs across America because I guess our friends in the party opposite, the Republican Caucus, feel that, oh, those are not private sector jobs.

Teachers do a valuable service for our country. Teachers are important. Or what about medical professionals who work for public hospitals? Or what about people who make sure that our roads and our bridges and our other infrastructure are in good working order? All these jobs are important.

What about the people who work at the DMV, the Department of Motor Vehicles? Do you want to get your tags on time? Do you want to get your registration on time? These are all folks who perform a valuable, important public service, and I think it's really ugly when we hear our Republican colleagues say, oh, well, they just want public jobs. They admit that we've had public jobs. We've also had private sector jobs. But I don't like this idea of them attacking public sector jobs. It's not right. In fact, my opinion is we need to pass a local jobs for America act. We need a bill that says we're going to help State and local government hire the people they have had to lay off over the last year and a half. Nearly every State in the union, not every State but nearly every State, has had massive deficits and these States have seen themselves have to cut off a lot of State workers. Now the Federal Government can't cover all of those losses, but we can cover some of the essential ones.

There are cities in this country who have police forces of one and two and three people, and they've had to lay off one. So if they lay off one person or two people, that's basically the whole department.

This is a serious issue. We don't need larger class sizes as we're trying to educate young people to be more competitive in the global arena. We don't need our fire departments to have fewer firefighters. We don't need to have our streets have fewer cops and be less safe. Since the recession began, an estimated 500,000 Americans have lost their jobs in local communities because of tight local municipal budgets. That's public workers that the Republican Caucus doesn't seem to respect very much.

The Economic Policy Institute, which is a think tank, estimates that by the year 2012, more than 400,000 jobs would have to be restored just to return local government services to pre-recession levels. That's worth repeating. The Economic Policy Institute estimates that by 2012, more than 400,000 jobs would have to be restored just to return to pre-recession levels. This means a critical loss of services. This means that, yes, you have potholes; yes, you have longer response times for police and fire; yes, you have infrastructure that's not in the same kind of repair that it used to be. Yes, you have a streetlight that has not been replaced. And as your daughter or your son are walking home at night, you want that streetlight there if you're a parent and I know it. Not even for your daughter or your son; for yourself. If you're walking home, you want that streetlight working. Well, who replaces that? They don't get up there by magic. My friends in the Republican Caucus act like they just appear. No, they don't. Municipal workers put them there.

Cuts to public jobs also reduce employment in the private sector. This is an important point that bears repeating as well. Cuts to public jobs reduces employment in the private sector. What is the point, Mr. Speaker? Well, look. A dollar is a dollar. Whether I'm a cop or I work for a private security company, if I get my check and I spend it at the local store, it's revenue for that store and it will go to pay the workers at that store and pay a profit to whoever owns the store. Now if the public worker doesn't have a job, that's one paycheck fewer that that store has to rely on in order to make it.

So public sector jobs contribute to private employment. Why? Because public sector jobs contribute to the economy just like private sector jobs do, too. It's not a good thing that public sector jobs are going down. Not only is it loss of vital social services in our cities, but it also decreases consumer demand for those public workers who are now laid off and for our economy as a whole.

Again, the Economic Policy Institute has important information for us here. They estimated that for every 100 public sector jobs, 30 private sector jobs are let go because of the reduction in consumer spending. For every 100 public sector jobs, 30 private sector jobs are laid off because of a reduction in consumer spending. This forces local governments to choose between cutting services like public safety and raising taxes during an economic recovery which, I already talked about, no one likes to do.

Now there's a bill out there that I think the people of America ought to know about, Mr. Speaker, and that is the Local Jobs for America Act. The goal of the Local Jobs for America Act is to create 1 million public and private jobs in local communities this year. This jobs legislation directs targeted resources to communities hardest hit by the economic downturn. Federal

funds will be provided directly to States and municipalities with the greatest number of people out of work to restore critical services like teachers, police and fire. Our bill is about getting America back to work and making investments for the long term and the prosperity of our country.

Throughout the recession, local governments have been one of the hardest hit as cities have had to reduce budgets as their revenues have declined. Local governments across the country lost over 140,000 jobs in 2008 and 2009, and the number just keeps on growing. In 2009, 62 percent of all cities dealt with their budget deficits by delaying or canceling construction projects. Now when a city says, we're not going to build that ramp, that parking ramp; we're not going to fix that road; we're not going to build that community center, that means that the contractors they were going to hire don't get that job. So what that means is that the people who work in the private sector on the construction site, they're not working on that job. They're not bringing food back home based on the money they earned at that construction job.

The bill funds teachers, firefighters, child care workers and other critical services:

$23 billion to help States support 250,000 teachers who are scheduled to be laid off very soon; $1.18 billion to support 5,500 law enforcement officers on the beat; $500 million to hire and train firefighters; $75 billion to save or create 750,000 jobs to help the local community fill those jobs where they need it; 50,000 on-the-job training slots to help private businesses expand employment.

The goal is to have family wage jobs and help people get back to work, promote our good services for our cities, which is safety, which is education, and then also help the private sector by moving forward on needed construction projects and making sure public workers have their paychecks to make sure there's adequate consumer demand.

The Local Jobs for America Act will target funding to community based organizations serving communities with poverty rates 12 percent, or unemployment rates that are 2 percent or more higher than the national average. Now it's not State by State. It's community by community. So even if your State has an unemployment rate lower than the national average, if your community has one that is higher, then you would be eligible.

Local Jobs for America will help ensure that local communities can still operate essential services; and the Local Jobs for America Act will include on-the-job training for thousands of workers, and this bill would target communities hardest hit by the recession.

□ 1840

Now, that's just one good idea that I think we need to use.

I just want to take you back and say, you know, I'm from Minneapolis, and in my town we boast the finest series of lakes and trails and bike paths in the country. In fact, even though we're a cold weather State, we commute by bicycle more than any other city, including Portland, Oregon. Now, I know those people from Portland are coming after us on this great honor, but we're determined to keep Minneapolis in the first place on bike trails.

My point is simply this: I was riding my bike along the bike trail the other day, and I stopped to rest and sip a little water, and I saw a picnic table that really looked like it had been around for a while. What I saw on that picnic table was interesting. It was a plaque. It said, ''WPA 1934.'' That picnic table had been around since 1934, and the Roosevelt-era program that put Americans of that generation back to work had caused that picnic table to be built.

Some of you young people are like, What is WPA? Go ask your grandparents. WPA is the Works Progress Authority. This was something that put valuable people to work doing valuable work that needed to be done—making trails, making picnic tables, doing things that last to this very moment. And Americans all across America are benefiting from them right now. This is what the WPA is.

And what I'm saying about the Local Jobs for America Act is that if that generation had a heart for its people and would respond to their needs and the needs of the unemployed by putting them back to work, I don't think this generation should do less. I think this generation should do at least as much as prior generations have done. Let it not be said that Americans have grown more stingy over time. Let it be said that Americans still care about other Americans whether they're working or not. Very, very important.

Now, Mr. Speaker, I'm going to begin to wrap up my remarks right now because it is getting late in the hour. But I just think it's important to just point out that from the Progressive Caucus' point of view, what we need is we need a stronger, more robust economy that has more people working at livable wages; that when people don't have enough, don't have a job, that they can get unemployment benefits until they can find that next job.

We don't think of our people as lazy and who don't want to work. We think of our people as active who do want to work. And when they get a job, we know that they're proud to have that job. But right now in America, we just don't have enough jobs. And we don't need the Republican Caucus standing in the way of jobs.

There are many people of faith in the Democratic Caucus, but we live our values. We don't pontificate about our values like some Members of the Republican Caucus are wont to do. The fact is you have to live caring, you have to live charity, you have to live commitment to other people, you have to live empathy. And just lecturing to others about your religion is not a valuable exercise in a country dedicated to religious tolerance.

So with that, Mr. Speaker, I just want to say it's always a pleasure coming before you and the people on the House floor. It's important to get back to real policies that work for real people. I'm so proud that the Democratic Caucus responded to the American people's needs for health care reform, responded to the American people's needs for financial Wall Street reform, as the President signed the bill yesterday. I am so proud that the Democratic Caucus was able to pass unemployment insurance benefits despite very little help from the Republican Caucus.

I look forward to being back soon to talk about the Progressive Caucus and progressive values in the United States Congress.

THIS ADMINISTRATION MUST FIND ITS VOICE ON HUMAN RIGHTS

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

Mr. WOLF. This administration must find its voice on human rights.

On April 21 the New York Times columnist Nicholas Kristof authored a piece that closed with the following words: ''If President Obama is ever going to find his voice on Sudan, it had better be soon.''

Two weeks after the article ran, I wrote the President, and I submit a copy of the letter for the RECORD, putting forth a number of recommendations in the hopes in salvaging the administration's languishing Sudan policy. My concerns echoed those voiced by six respected NGOs who the week prior had run an ad in the Washington Post and Politico calling for Secretary Clinton and Ambassador Rice to exercise ''personal and sustained leadership on Sudan'' in the face of a ''stalemated policy'' and waning U.S. credibility as a mediator.

Sadly, Kristof's assessment can be applied elsewhere around the world. It seems that President Obama and the administration as a whole have struggled to find its voice when it comes to the promotion and protection of basic human rights and religious freedom. These most cherished ideals, which are at the very heart of the American experiment, have time and again been sidelined by this administration's foreign policy. This is a grievous mistake which has dire implications for the world's dissidents and democrats who yearn for freedom and look to America to be their advocate.

Looking back to Sudan, a nation I first visited in 1989, and most recently in 2004 when Senator SAM BROWNBACK and I were the first congressional delegation to go to Darfur where there is genocide, I remain deeply concerned

that the country is headed for a resumption of a civil war if the U.S. fails to exert its necessary leadership. While there were certainly times that I was critical of the Bush administration's policy, it is indisputable that President Bush and former Special Envoy John Danforth were instrumental in securing, after 2½ years of negotiations, the Comprehensive Peace Agreement, the CPA, which brought about an end to the brutal 20-year civil war in which more than 2 million perished, most of whom were civilians.

A recent New York Times column by author David Eggers and Sudan activist John Prendergast titled, ''In Sudan, War is Around the Corner,'' spoke to this reality. The pair wrote, ''Shortly after George W. Bush entered the White House, he decided he would put the full diplomatic leverage of the United States to work in ending this war, one of the bloodiest conflicts of the 20th century. He succeeded.''

Eggers and Prendergast rightly noted that when the South is given the opportunity to vote for independence in January, as guaranteed by the CPA, the conventional wisdom is that they will waste no time in severing ties with Khartoum. This shouldn't come as a surprise considering that President Bashir remains at the helm of Khartoum. Long an indicted war criminal, he was earlier this month also officially charged by the International Criminal Court with orchestrating genocide in Darfur. Bashir's murderous aims in Darfur are not without precedent.

With just 6 months to go, Khartoum persists in dragging its feet, undermining installing the process at every turn. Furthermore, the deeply flawed April elections do not bode well for the fate of a free and fair and timely referendum process. Failure to deliver on the long-awaited promise of a respectable referendum could have grave implications.

While some of the administration's rhetoric has improved of late, notably during Vice President BIDEN's trip to Africa, we have yet to see the administration apply real consequences to Khartoum. In fact, most Sudan watchers would agree that we have seen little to no evidence since the administration's release of their Sudan policy that they have any intention of utilizing sticks. Rather, they appear to be relying exclusively on carrots.

A July 14 Associated Press article entitled ''Promises, Promises: U.S. Fails to Punish Sudan'' described the administration's track record on Sudan this way: ''The words of the Obama administration were unequivocal: Sudan must do more to fight terror and improve human rights. If it did, it would be rewarded. If not, it would be punished. Nine months later, problems with Sudan have grown worse. Yet the administration has not clamped down. If anything, it has made small conciliatory gestures.''

Eggers and Prendergast, in their New York Times piece, close with a chilling warning as it relates to the months ahead in Sudan: ''This is President Obama's Rwanda moment, and it is unfolding now, in slow motion. It is not too late to prevent the coming war in Sudan, and protect the peace we helped build 5 years ago.''

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President Obama and his advisers need not rely on the warnings of those in the advocacy community and on Capitol Hill when it comes to the high stakes in Sudan in the days ahead. Rather, they can simply look to the Annual Threat Assessment of the U.S. intelligence community, which recently predicted that over the next 5 years, listen to this, ''a new mass killing or genocide is most likely to occur in southern Sudan,'' more than any other country.

A welcomed step toward preserving the tenuous peace would be to provide Southern Sudan the air defense system that the Government of Southern Sudan requested and President Bush reportedly approved in 2008. This defensive capability would help neutralize Khartoum's major tactical advantage, a virtual necessity in light of the scorched earth tactics and Antanov bombers that have marked their genocidal campaigns of the past and would make peace and stability more likely following the referendum vote.

During the campaign for the Presidency, then-Candidate Obama said, ''Washington must respond to the ongoing genocide and the ongoing failure to implement the CPA with consistency and strong consequences.'' These words still ring true today, and yet, apart from a recent National Security Council statement expressing support for ''international efforts to bring those responsible for genocide and war crimes in Darfur to justice,'' we have seen an administration and a President struggling to find its voice on this most pressing human rights issue. Special Envoy Gration, at a recent event on Capitol Hill, reportedly went so far as to say that the genocide charges against Bashir will make his job harder.

What about the people who died as a result of this genocide in Sudan? Sudan is not an anomaly. Consider China, a country where human rights, religious freedom, and civil society continue to be under fierce attack by the country's ruling Communist Party.

From the outset, this administration chose to marginalize human rights in the context of U.S.-China bilateral relations. On the first trip to Asia, Secretary of State Clinton was downright dismissive of human rights concerns saying that ''those issues can't interfere'' with economic, security, or environmental concerns.

A firestorm of criticism ensued. Human rights organizations were rightly dismayed. How had impassioned advocacy for the dignity of every person been relegated to a position of mere interference? And this in spite of Obama campaign promises to be ''frank with the Chinese'' and ''press them to respect human rights.''

In China, we again see an administration which seems unable to find its voice on human rights. A glance at the news from the last several weeks alone makes it painfully clear that that voice, the voice which speaks out on behalf of those enduring tremendous persecution and oppression at the hands of their own government, has never been more necessary.

A July 5 Associated Press story reported that Yu Jue, ''A best-selling author and fierce critic of the Communist Party was taken into custody by the police on Monday for reasons that were unclear.''

The AP reported on July 15 that ''dozens of blogs by some of China's most outspoken users have been abruptly shut down while popular Twitter services appear to be the newest target in government efforts to control social networking.''

Veteran dissident Liu Xianbin, an original signatory of Charter 08, a historic pro-democracy manifesto, was arrested by Chinese authorities on June 27 on suspicion of ''inciting subversion of state power.''

July also marks the 1-year anniversary of the deadly suppression of Uighur protestors last summer in the northwest of China. China's beleaguered Uighur Muslim community continues to face severe repression in the aftermath of the violence. According to multiple independent news sources, authorities installed 40,000 security cameras throughout the city in anticipation of the 1-year anniversary.

Carl Gershman, president of the National Endowment for Democracy, authored a piece in the Washington Post on the occasion of the anniversary. He highlighted a report by the Uighur Human Rights Project aptly titled, ''Can Anyone Hear Us?'' which documents ''the firing on protesters that led to hundreds of deaths, as well as mass beatings, the arbitrary detention of thousands, and a 10-month communication shutdown that cut off the region from the outside world.''

Gershman closes his piece with the following charge: ''The United States and the international community should also support the Uighurs' 3-month-old call for an independent international investigation into the events of last July and the opening of a meaningful dialogue with Chinese authorities. Uighur voices have been crying in the wilderness. It's time to listen.''

It is indeed time to listen. It is also time to add America's voice to the chorus of voices within China pressing for greater freedoms and basic human rights.

Just last week, I had the honor of meeting with two courageous Chinese human rights lawyers visiting the U.S. for legal training and to brief policymakers on the situation facing those defending rule of law in China. These

lawyers often choose to represent, at their own peril, those human rights activists, house church leaders, bloggers, et cetera, who face persecution in the form of trumped-up charges and the absence of due process. The lawyers said quite pointedly that their lives improve, and those of their cohorts in prison or facing other pressures by the Chinese Government, when the West speaks out for their plight and raises their cases by name. Why does not the Obama administration speak out for the plight and raise their cases by name?

This sentiment is nothing new. I remarked that they are China's Sakharovs and Solzhenitsyns. Similarly, these giants in the cause of freedom time and again recounted how their lives in the gulags improved when the West and President Reagan championed their cause and challenged the lies that were at the foundation of the Soviet system.

It seems this administration, the Obama administration, has forgotten the lessons of history to the detriment of China's young democrats.

In their annual Freedom in the World Report, the NGO Freedom House documented a litany of abuses perpetrated by the Chinese Government and then made the following observation: ''While these acts of repression are disturbing, so is the absence of protest from the democratic world. When the Soviet Union arrested a dissident or suppressed religious expression, it drew widespread condemnation by figures ranging from heads of state to trade union leaders, as well as by human rights organizations and prominent humanitarians. China's current actions, by contrast, elicit little more than boilerplate criticism, and just as often they provoke no response whatsoever.''

Elsewhere in Asia we see an administration seeming to align itself with the oppressor over the oppressed. Look at Vietnam. On July 19, AFP reported that Kurt Campbell, Assistant Secretary of State for East Asian Affairs, said, ''As I look at all the friends in Southeast Asia, I think we have the greatest prospects in the future with Vietnam.''

This is a strange affinity and statement to have with a government that our own State Department said ''increased its suppression of dissent, arresting and convicting several political activists'' during the reporting period of the 2009 Country Report on Human Rights Practices.

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The State Department report continues: ''Several editors and reporters from prominent newspapers were fired for reporting on official corruption and outside blogging on political topics. Bloggers were detained and arrested under vague national security provisions for criticizing the government and were prohibited from posting material the government saw as sensitive or critical. The government also monitored email and regulated or suppressed Internet content. The government utilized or tolerated the use of force to resolve disputes with a Buddhist order in Lam Dong and Catholic groups with unresolved property claims.''

Today, Secretary Clinton is in Vietnam for the ASEAN meetings. Initial news reports indicate that she raised human rights concerns in a meeting with the foreign minister and afterwards with journalists, and I appreciate that. However, a new New York Times story today pointed out that the timing of her comments on the sensitive issues ''suggested that she wanted to make her point and move on.'' If the administration is truly concerned about human rights and religious freedom in Vietnam, they would take the concrete step of placing Vietnam back on the Countries of Particular Concern, the CPC list, as has been recommended by the bipartisan U.S. Commission on International Religious Freedom in the U.S. House of Representatives.

Leonard Leo, chairman of the commission, rightly points out that Vietnam's human rights record has only improved when its ''feet were held to the fire.'' Leo continued: ''But once Vietnam, with U.S. help, joined the World Trade Organization in 2007, religious freedom and human rights advocates have experienced waves of arrest,'' Leo said. Waves of arrests from our ''friend'' in Southeast Asia? Are the Vietnamese, who are persecuting the Catholic Church, the Montagnards, the bishops, and killing people our friends?

Or consider North Korea. Without question, this country is one of the darkest places on the globe. More than 200,000 North Koreans, including children, are being held in political prison camps. It is estimated that between 400,000 and 1 million people, 400,000 and 1 million people, have died in these camps, having been worked to death or starved to death. Is anyone in this administration going to speak out or say anything or do anything about that?

Last summer an op ed in The Wall Street Journal featured a quote from a North Korean refugee woman who said: ''If I had a chance to meet with President Obama, I would first like to tell him how North Korean women are being sold like livestock in China and, second, to know that North Korean labor camps are hell on Earth.'' Let me just repeat what she said again. She said: ''If I had a chance to meet with President Obama, I would first like to tell him how North Korean women are being sold like livestock in China and, second, to know that North Korean labor camps are hell on Earth.''

However, because North Korea possesses nuclear weapons and threatens not only to use them against neighboring countries, but also to share nuclear weapon technology with such rogue states as Burma and Syria, the international community, the U.S. included, has tended to downplay or outright ignore the horrendous human rights abuses in North Korea in the interest of trying to negotiate, through the so-called six-party talks, an end to its nuclear program. When North Korea falls and freedom comes, a lot of people in the West, and this administration, I think, will really feel guilty for not having spoken out and advocated for these people.

But nothing has been achieved by these negotiations, and the recent sinking of the South Korean ship has stalled efforts to revive the six-nation talks. Even in the face of North Korea's nuclear ambitions, it is inexcusable that its abhorrent human rights record is relegated to the back burner and that the North Korea Freedom Act, passed by Congress, has not even been fully implemented. Why has the Obama administration had so little to say about those trapped in ''hell on Earth''?

Now, looking to the Middle East, we again see an administration whose advocacy on behalf of persecuted peoples has been sorely lacking. A February 6 ABC news story opened with the following observations: ''Across the Middle East, where Christianity was born and its followers once made up a sizeable portion of the population, Christians are now tiny minorities.''

This is perhaps no more true than in Iraq. With the exception of Israel, the Bible contains more references to the cities, regions and nations of ancient Iraq than any other country. Abraham came from Iraq.

Tragically, Iraq's ancient Christian community is facing extinction. The U.N. High Commission for Refugees estimated that some 250,000 to 500,000 Christians have left the country since 2003 and about half the Christian population and a large number also have been killed.

While I have appreciated and am very grateful for Ambassador Chris Hill's commitment to this issue during his time as U.S. Ambassador, and while I believe that Michael Corbin, the Deputy Assistant Secretary of State who is in charge with working on Iraqi minority issues, cares deeply about the issue, and both are good men, I see a continued unwillingness, unwillingness, at the highest levels of the State Department to acknowledge and ultimately address the challenges facing these ancient-faith communities.

A 2009 column in The Wall Street Journal, Daniel Henninger summed it up this way: ''Candidate Obama last fall sent a letter to Condoleezza Rice expressing 'my concern about the safety and well-being of Iraq's Christian and other non-Muslim religious minorities.' He asked what steps the U.S. was taking to protect 'these communities of religious freedom.' Candidate Obama said he wanted these groups represented in Iraq's governing institutions. Does President Obama believe these things?''

I long advocated, both during the previous administration and in the current administration, for the U.S. to

adopt a comprehensive policy to address the unique situation of these defenseless minorities. I have also pressed for a high-level human rights representative at the U.S. Embassy in Baghdad. Such a U.S. presence is critical with a U.S. presence in Iraq drawing down and our bilateral relations now governed by the Strategic Framework Agreement.

Among other things, we must be actively engaging the Government of Iraq to press for adequate security at places of worship and ensure minority representation in local police units. These are just some of the steps that could be taken to assist in the preservation of these ancient-faith communities. We have a moral obligation to do so. The Obama administration has a moral obligation to do so.

I was reminded of this again last week while meeting with a visiting high-level delegation of Iraqi bishops. Their impassioned pleas must not be ignored. We do not want to see the eradication and the elimination of the Christian community, the Assyrian, Chaldean Catholic community, in Iraq. We need to protect them.

Turning now to Egypt. Eli Lake pointed out in a July 18, Washington Times piece: ''The Obama administration ended support for a small fund operated by the U.S. Embassy in Cairo that supported groups promoting Egyptian democracy and that bypassed any clearance from the Egyptian Government.'' They ended it.

Ellen Bork, director of democracy and human rights at the Foreign Policy Initiative, summarized the situation well in a recent Weekly Standard piece. She said: ''Doing something for democracy in Egypt would require a policy reversal in Washington. Since the end of the Bush administration and the beginning of the Obama administration, there has been a retreat,'' and let me say I was critical during the Bush administration. More should have been done then, but equally now under the Obama administration. ''There has been a retreat, including a cut in funding for democracy programs and acquiescence to an Egyptian veto over which groups may receive U.S. funds.'' They are going to let the Egyptian Government that is doing the persecution decide which group gets the funds.

Ironically, U.S. support for democracy promotion in Egypt is dwindling at a time when the people of Egypt are increasingly dissatisfied with the current regime. A Washington Post story yesterday reported that ''a protest in Alexandria last month was attended by 4,000 people, a high number in Egypt, where many people are afraid to join demonstrations.''

Lorne Craner, president of the International Republican Institute, who has a history of caring deeply about human rights and religious freedom, echoed these sentiments about the administration's human rights and democracy promotion policy in Egypt and elsewhere around the world, in recent testimony before the House Committee on Foreign Affairs.

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He said, ''A lack of strong, consistent leadership from the top of the administration has become apparent to the bureaucracy. One result is the cutting or slowing of funding for democracy programs in countries like Belarus, Cuba, Egypt, Iran, North Korea, Venezuela, and Zimbabwe. Another consequence is that our embassies abroad''—and this is painful to hear—''are providing less diplomatic support on human rights and democracy. Asked about the U.S. position on democracy in Egypt, our Ambassador to Cairo praises the country's press freedoms.'' The American Embassy in Cairo should be an island of freedom. The American embassy in every country should be an island of freedom.

Those yearning for greater freedoms in Egypt are not alone in facing the ire of their government. So, too, Egypt's Coptic Christian community faces increasing hardship. USCIRF, the commission, in its recently released report, described a deteriorating situation for this community. USCIRF found that ''the reporting period marked a significant upsurge in violence targeting Coptic Orthodox Christians. The Egyptian Government has not taken sufficient steps to halt repression of and discrimination against Christians and other religious believers, or in many cases to punish those responsible for violence or other severe violations of religious freedom. This increase in violence and the failure to prosecute those responsible forces a growing climate of impunity. And even though our own State Department has concluded that the last 3 years have been marked by a decline of religious freedom conditions in Egypt, there has not been a significant change in U.S. policy.

Elsewhere in the region, Morocco is actually an example where American citizens, many of whom are people of faith, are receiving hostile treatment by the Moroccan Government. Over the last 4 months, dozens of American citizens and scores of other foreign nationals have been deported and denied reentry into the Kingdom of Morocco for allegedly proselytizing. Authorities have refused to turn over any evidence or offer any explanation of the charges. Among the individuals who were deported or denied reentry were businessmen, educators, humanitarians, and social workers, many of whom had resided in Morocco for over a decade in full compliance with the law. Additionally, those deported were forced to leave the country within 2 hours of being questioned by the authorities, having to leave everything behind.

Over the past several weeks I have met with and heard from scores of Moroccan Christians. Many feel their voices have long been silenced, and these events highlight some of these pressures they experience. On March 19, I wrote to the U.S. Ambassador to Morocco, Sam Kaplan, sharing my intent to meet the Moroccan Ambassador to the U.S. and urging Ambassador Kaplan to ''convey to the Government of Morocco that Members of Congress are watching these events closely and the outcome could negatively affect our bilateral relations.''

I've also spoken with Ambassador Kaplan on several occasions and shared with him my deep disappointment that the U.S. Embassy and the State Department have not been more publicly outspoken on behalf of these American citizens. It is the primary responsibility of the United States Embassy to defend and advocate for U.S. citizens and interests abroad. Unfortunately, the Moroccan Government has been utterly unwilling to compromise. Perhaps they think they don't need to, given the number of high-powered lobbyists, including several former Members of Congress, that the Moroccan Government has on retainer. I don't know how a former Member of Congress could ever go out and represent the Moroccan Government knowing what they're doing to American citizens and feel very, very comfortable. And do the American people know about this?

And the American people should understand not only are they expelling Americans from Morocco, but they should also know that I have urged the Millennium Challenge Corporation, the MCC, to suspend the 5-year compact with Morocco, which is worth $697.5 million. That's right, you, the American taxpayer, are giving the Moroccan Government $697 million. They're expelling Christians from Morocco—although they've hired a couple of former Congressmen that, unfortunately, used to serve in this body. I mean, can you believe it? They're expelling Americans, and yet the Moroccan Government expects that we will give them $697.5 million?

I will offer an amendment on this floor when the foreign operations bill comes up to suspend or cut this program, and I urge any Member who wants to vote the other way to go home to wherever you're from, whether it be the north, south, east or west, and tell your constituents, that's right, I understand; I voted to continue to send all this money to Morocco, $697 million. Yes, I understand we have a deficit. Yes, I understand we have great debt. Yes, I understand they're expelling Christians, Americans from the country, but I'm still going to give them that money.

The MCC awards compacts on the basis of 17 key indicators of eligibility, six of which fall under the category of ''ruling justly.'' However, recent events raise serious questions regarding the Moroccan Government's willingness to abide by the principles outlined in the MCC indicators. And—and I am very appreciative of this—a recent Wall Street Journal op-ed rightly pointed out that during a time of economic hardship, the unemployment rate at 9.5

percent, ''U.S. taxpayers won't tolerate financing governments that mistreat Americans solely because of their religion.'' I appreciate the Wall Street Journal doing that editorial.

Can the administration not find its voice when it comes to the rights of U.S. citizens being trampled abroad? I've been assured that the State Department is raising the matter privately with the Moroccan Government. Frankly, this is insufficient. The manner and the means by which we raise concerns of this nature with foreign governments communicate a whole host of unspoken messages. I hope the lobbyists for Morocco—particularly those who have been former Members of Congress—are not influencing the State Department and are not influencing the Millennium Challenge Corporation.

Do we simply have a private meeting with the ambassador and ask him to look into the matter, or does the Department's press secretary issue a statement expressing deep concern? Or better yet, does President Obama call the King of Morocco and make it clear that treating American citizens this way will not be tolerated? The President should pick up the phone and say to the head of the Moroccan Government, we will not give you $697 million in the Millennium Challenge grant as you're expelling Americans from your country. Each approach has distinct undertones which highlight the level of priority and seriousness that the U.S. Government places on a particular issue. Privately raising the issue with Moroccan Government officials is a far cry from what we used to see by doing it publicly.

Even as the administration is struggling to find its voice on human rights, changes within the State Department threatens to institutionalize the marginalization of these core issues. The State Department's International Religious Freedom Office, IRF, has been without ambassadorial leadership, as is required by law, for more than 18 months. After increasing pressure from Congress and religious advocacy groups, Obama named Suzan Johnson Cook to this post in June. She has not been confirmed. Eighteen months, nobody's there.

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With a void in senior leadership at the IRF office, I have been increasingly alarmed by reports that the office is being subsumed into the Bureau of Democracy, Human Rights and Labor.

Tom Farr, the first Director of the U.S. State Department Office of International Religious Freedom, described what is happening this way in a Washington Post online column: ''The ambassador will not report directly to the Secretary of State as do other ambassadors at large, all of whom are experts in their fields. The staffers who reported to predecessors will not report to Johnson Cook should she be confirmed. The position will be emasculated, in direct contravention of the legislation that created it.''

In a May 25 letter to Assistant Secretary for Democracy, Human Rights and Labor Michael Posner, I raised these concerns in detail.

I submit a copy of the letter for the RECORD.

If the changes described by Farr move forward, this could potentially violate U.S. law and break with 10 years of established practice under previous administrations, both Democratic and Republican. The Ambassador-at-Large position was established under the International Religious Freedom Act of 1998, of which I was the primary author, to promote religious freedom abroad. The legislation specifically states, ''There is established within the Department of State an Office on International Religious Freedom that shall be headed by the Ambassador-at-Large for International Religious Freedom.''

Considering the importance of religious freedom to U.S. foreign policy and human rights promotion, I am alarmed by the possibility that DRL could be removing supervisory control from the Ambassador-at-Large over the Office of International Religious Freedom.

These reported changes, combined with the long ambassadorial vacancy, do not bode well for the Baha'i leader imprisoned in Iran's notorious prisons or for the Ahmadi Muslim in Pakistan, subject to officially sanctioned discrimination and persecution. Who will be their advocates? Who will advocate for the Baha'is? Who will advocate for the Ahmadi Muslims in Pakistan? Who will be their advocates?

The IRF office is but one example of internal changes at the State Department. Not many people know this, but the congressionally mandated Office to Monitor and Combat Anti-Semitism, headed by a special envoy, only has a single dedicated staff person. During the Bush administration, there were three to five employees at various points. An April 2010 CNN story featured the findings of a study released on the eve of the Holocaust Remembrance Day, which found that the number of anti-Semitic incidents more than doubled from 2008 to 2009. At a time when anti-Semitism is on the rise globally, the special envoy is relying almost exclusively on the already stretched thin IRF office for her staffing needs, therefore making it more difficult for the IRF office to fulfill its congressional mandate.

If the old adage ''personnel is policy'' is true, then you could surmise that the absence of necessary personnel is itself a shift in policy priorities.

There are staff vacancies also at the State Department that are deeply troubling. On June 24, I wrote Secretary of State Clinton about the Office of the Special Coordinator for Tibetan Issues.

I submit the letter for the RECORD.

I was prompted to write the letter, in part, because it had come to my attention that there was only one person working in the office. Have you seen how China has plundered Tibet, and there is one person working in the office?

Congress codified the position of the Special Coordinator for Tibetan Issues as part of the Tibetan Policy Act of 2002. Not long after the establishment of the office, Congress approved language directing that the office ''consist of three professional, full-time staff members and additional support staff, as needed, in addition to the special coordinator.'' Their current inadequate staffing levels, at that point 17 months into the administration, were troubling and at odds with congressional intent.

Further, the congressionally mandated Report on Tibet Negotiations, which is due to Congress by March 31 of each year—and we are in July—has not yet been submitted. These developments, or lack thereof, send a message about the priority this administration is placing on Tibet. Does this administration care about the plundering and the persecution in Tibet?

I have visited Tibet. I have been there. I have seen what has taken place in Drapchi prison. I have seen and talked to Buddhist monks who have told me about their times. I have seen the cameras on all of the buildings. I have seen the areas that they have bulldozed and large areas of loss. They have taken away the Tibetan culture. I have seen that. So does not this administration care about that?

That message is not inconsistent with the message the White House sent last fall in declining to meet with the Dalai Lama when he was visiting Washington—the first time since 1991 that the Nobel Prize recipient and spiritual leader was not afforded a meeting with the President of the United States.

In closing, the complexities of foreign policy do not escape me. I am well aware that there are multiple dimensions to our bilateral relations with countries around the globe, but if the United States of America cannot be relied upon to speak out on behalf of those whose voices have been silenced, then it is, indeed, a dark day for millions around the world who are yearning to breathe the sweet air of freedom.

Where the administration fails to find its voice, Congress must stand in the gap. For decades, human rights enjoyed bipartisan support in this body. Now I fear these issues have fallen victim to bipartisan apathy. Too often, we underestimate the power of our words or, worse yet, the power of our silence.

The late Robert Kennedy, speaking in 1966 Cape Town, South Africa, to a gathering of students committed to challenging the injustice of apartheid, famously said, ''Each time a man stands up for an ideal or acts to improve the lot of others or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring those ripples build a

current which can sweep down the mightiest walls of oppression and resistance.''

America must stand up for the ideals upon which our own experiment in self-governance was founded. America must strike out against injustice, whatever form it takes. America must believe that even the mightiest walls of oppression can tumble and work toward that end.

The hour is late and the stakes are high. Will the administration accept this charge? Will the Obama administration accept this charge? Can President Obama find his voice? Will the ''ripples of hope,'' of which Bobby Kennedy spoke, once again infuse America's foreign policy? We'll see.

HOUSE OF REPRESENTATIVES,
MAY 5, 2010.

Hon. BARACK H. OBAMA,
President, The White House, Washington DC.

DEAR MR. PRESIDENT: ''If President Obama is ever going to find his voice on Sudan, it had better be soon.'' These were the closing words of New York Times columnist Nicholas Kristof two weeks ago. I could not agree more with his assessment of Sudan today. Time is running short. Lives hang in the balance. Real leadership is needed.

Having first travelled to Sudan in 1989, my interest and involvement in this country has spanned the better part of 20 years. I've been there five times, most recently in July 2004 when Senator Sam Brownback and I were the first congressional delegation to go to Darfur.

Tragically, Darfur is hardly an anomaly. We saw the same scorched earth tactics from Khartoum in the brutal 20-year civil war with the South where more than 2 million perished, most of whom were civilians. In September 2001, President Bush appointed former Senator John Danforth as special envoy and his leadership was in fact instrumental in securing, after two and a half years of negotiations, the Comprehensive Peace Agreement (CPA), thereby bringing about an end to the war. I was at the 2005 signing of this historic accord in Kenya, as was then Secretary of State Colin Powell and Congressman Donald Payne, among others. Hopes were high for a new Sudan. Sadly, what remains of that peace is in jeopardy today. What remains of that hope is quickly fading.

I was part of a bipartisan group in Congress who urged you to appoint a special envoy shortly after you came into office, in the hope of elevating the issue of Sudan. But what was once a successful model for Sudan policy is not having the desired effect today. I am not alone in this belief.

Just last week, six respected NGOs ran compelling ads in The Washington Post and Politico calling for Secretary Clinton and Ambassador Rice to exercise ''personal and sustained leadership on Sudan'' in the face of a ''stalemated policy'' and waning U.S. credibility as a mediator.

In that same vein, today I join that growing chorus of voices in urging you to empower Secretary Clinton and Ambassador Rice to take control of the languishing Sudan policy. They should oversee quarterly deputies' meetings to ensure options for consequences are on the table.

There is a pressing and immediate need for renewed, principled leadership at the highest levels—leadership which, while recognizing the reality of the challenges facing Sudan, is clear-eyed about the history and the record of the internationally indicted war criminal at the helm in Khartoum. We must not forget who we are dealing with in Bashir and his National Congress Party (NCP). In addition to the massive human rights abuses perpetrated by the Sudanese government against its own people, Sudan remains on the State Department's list of state sponsors of terrorism. It is well known that the same people currently in control in Khartoum gave safe haven to Osama bin Laden in the early 1990s.

I believe that this administration's engagement with Sudan to date, under the leadership of General Gration, and with your apparent blessing, has failed to recognize the true nature of Bashir and the NCP. Any longtime Sudan follower will tell you that Bashir never keeps his promises.

The Washington Post editorial page echoed this sentiment this past weekend saying of Bashir: ''He has frequently told Western governments what they wanted to hear, only to reverse himself when their attention drifted or it was time to deliver . . . the United States should refrain from prematurely recognizing Mr. Bashir's new claim to legitimacy. And it should be ready to respond when he breaks his word.'' Note that the word was ''when'' not ''if' he breaks his word. While the hour is late, the administration can still chart a new course.

In addition to recommending that Secretary Clinton and Ambassador Rice take the helm in implementing your administration's Sudan policy, I propose the following policy recommendations:

Move forward with the administration's stated aim of strengthening the capacity of the security sector in the South. A good starting point would be to provide the air defense system that the Government of Southern Sudan (GOSS) requested and President Bush approved in 2008. This defensive capability would help neutralize Khartoum's major tactical advantage and make peace and stability more likely following the referendum vote.

Do not recognize the outcome of the recent presidential elections. While the elections were a necessary part of the implementation of the CPA and an important step before the referendum, they were inherently flawed and Bashir is attempting to use them to lend an air of legitimacy to his genocidal rule.

Clearly and unequivocally state at the highest levels that the United States will honor the outcome of the referendum and will ensure its implementation.

Begin assisting the South in building support for the outcome of the referendum.

Appoint an ambassador or senior political appointee with the necessary experience in conflict and post-conflict settings to the U.S. consulate in Juba.

Prioritize the need for a cessation of attacks in Darfur, complete restoration of humanitarian aid including ''non-essential services,'' unfettered access for aid organizations to all vulnerable populations and increased diplomatic attention to a comprehensive peace process including a viable plan for the safe return of millions of internally displaced persons (IDPs).

When the administration released its Sudan policy last fall, Secretary Clinton indicated that benchmarks would be applied to Sudan and that progress would be assessed ''based on verifiable changes in conditions on the ground. Backsliding by any party will be met with credible pressure in the form of disincentives leveraged by our government and our international partners.'' But in the face of national elections that were neither free nor fair, in the face of continued violations of the U.N. arms embargo, in the face of Bashir's failure to cooperate in any way with the International Criminal Court, we've seen no ''disincentives'' or ''sticks'' applied. This is a worst case scenario and guaranteed, if history is to be our guide, to fail.

Many in the NGO community and in Congress cautiously expressed support for the new policy when it was released, at the same time stressing that a policy on paper is only as effective as its implementation on the ground. More than six months have passed since the release of the strategy and implementation has been insufficient at best and altogether absent at worst.

During the campaign for the presidency, you said, regarding Sudan, ''Washington must respond to the ongoing genocide and the ongoing failure to implement the CPA with consistency and strong consequences.'' These words ring true still today. Accountability is imperative. But the burden for action, the weight of leadership, now rests with you and with this administration alone. With the referendum in the South quickly approaching, the stakes could not be higher.

The marginalized people of Sudan yearn for your administration to find its voice on Sudan—and to find it now.

Sincerely,

FRANK R. WOLF,
Member of Congress.

HOUSE OF REPRESENTATIVES,
MAY 25, 2010.

Hon. MICHAEL POSNER,
Assistant Secretary, Department of State, Washington, DC.

DEAR ASSISTANT SECRETARY POSNER: I write regarding a matter of great concern—namely the reported plans by the Bureau of Democracy, Human Rights and Labor (DRL) to reorganize the Office of International Religious Freedom. It has come to my attention that structural changes may be implemented that could result in the Ambassador-at-Large for International Religious Freedom losing direct supervisory control over the staff of the Office of International Religious Freedom. Such changes could potentially violate U.S. law and break with 10 years of established practice under previous administrations, both Democratic and Republican.

As you know, the Ambassador-at-Large position was established under the International Religious Freedom Act of 1998 (IRFA), of which I was the primary author, to promote religious freedom abroad. The ambassador is charged with making policy recommendations for the U.S. Government toward ''governments that violate freedom of religion or that fail to ensure the individual's right to religious belief and practice . . .'' The ambassador also serves as the ''principal adviser to the President and the Secretary of State regarding matters affecting religious freedom abroad . . .'' IRFA created the Office of International Religious Freedom to support the Ambassador-at-Large in his or her work. Section 101(a) under Title I of IRFA specifically states that ''there is established within the Department of State an Office on International Religious Freedom that shall be headed by the Ambassador-at-Large for International Religious Freedom.'' [Emphasis added]

Considering the importance of religious freedom to U.S. foreign policy and human rights promotion, I am alarmed by the possibility that DRL could be removing supervisory control from the Ambassador-at-Large over the Office of International Religious Freedom. Given my intimate involvement in IRFA's passage, I can say with assurance that such a decision would directly contradict the intent of the act and undermine the critical role of the position. The U.S. Commission on International Religious Freedom shares this concern, and in its 2010 annual report urged the administration to ensure the ambassador's direct oversight of the office.

I have been concerned for some time at the priority, or lack there of, that this administration places on religious freedom. For 16 months now, the president has failed to appoint an Ambassador-at-Large for International Religious Freedom. This persistent vacancy, and these reported changes within the State Department are alarming and do not bode well for the Tibetan Buddhist monk forbidden from having a picture of the Dalai Lama or for the Iraqi Christian who has helplessly watched their ancient community be decimated by violence.

In light of these concerns, I urge you to ensure that the Ambassador-at-Large maintain direct oversight of the Office of International Religious Freedom, and only those DRL officials reporting directly to the Ambassador-at-Large be given managerial authority over the office staff. IRFA was clear in creating direct lines of authority from the office staff to the ambassador. It is critical that the Ambassador-at-Large continue to head the office, consistent with IRFA.

As these concerns directly relate to the inner-workings of DRL and the IRF office, I respectfully request that any reply to my letter come from you rather than the assistant secretary for Legislative Affairs. Thank you for your assistance. I look forward to hearing from you.

Best wishes.

Sincerely,

FRANK R. WOLF,
Member of Congress.

HOUSE OF REPRESENTATIVES,
JUNE 24, 2010.

Hon. HILLARY RODHAM CLINTON,
Secretary of State,
Washington, DC.

DEAR SECRETARY CLINTON: I am writing about some areas of concern related to the Office of the Special Coordinator for Tibetan Issues that I believe merit attention. Specifically, I am concerned that the Office of the Special Coordinator is understaffed. It has come to my attention that there is only one person currently working in the office, and that another position has been unfilled since January 2009. It is my understanding that a third position has never been filled.

After years of congressional advocacy for the creation of a special office in the Department of State on Tibet, the Special Coordinator for Tibetan Issues was established by Secretary of State Madeleine Albright in 1997 and charged with protecting the human rights of Tibetans, preserving their religious, cultural, and linguistic heritage, and promoting substantive dialogue between the Chinese government and the Dalai Lama or his representatives.

As you know, Congress codified the position of the Special Coordinator for Tibetan Issues as part of the Tibetan Policy Act of 2002. Both you and I were cosponsors of the original stand-alone bills in the House and the Senate respectively. The legislation detailed the duties and responsibilities of the special coordinator which included coordinating ''United States Government policies, programs, and projects concerning Tibet'' and maintaining ''close contact with religious, cultural, and political leaders of the Tibetan people, including regular travel to Tibetan areas of the People's Republic of China, and to Tibetan refugee settlements in India and Nepal.''

Not long after the establishment of the office, Congress identified that the special coordinator needed additional resources in order to effectively carry out its mission. In fiscal year 2006, the House and Senate Appropriations committees approved language directing $1 million for the Office of the Special Coordinator to carry out its statutory responsibilities. The committees also directed that the office ''consist of three professional full-time staff members and additional support staff, as needed, in addition to the special coordinator.'' Congress's interest in these funding and staffing levels has been reaffirmed in subsequent appropriations bills. Given this history, the current inadequate staffing levels, 17 months into the administration, are troubling and are at odds with congressional intent.

Further, I have also learned that the one staffer in the special coordinator's Office was pulled back from a previously scheduled visit to Dharamsala, India, in early May 2010. I understand that one of the goals of this staffer's trip was to participate in a selection process for students under the Tibetan Fulbright program, and that the meeting was cancelled. I expect that she was also scheduled to meet with officials of the Central Tibetan Administration as part of routine oversight of the U.S. government programs that benefit the Tibetan refugee communities in India. Staff members from the special coordinator's Office have been travelling to Dharamsala ever since the creation of the office. Such trips, which include engagement with the leaders of the Tibetan exile community, are essential for the fulfillment of the responsibilities of the office and are explicitly authorized by the Tibetan Policy Act. The oversight provided by these trips is vital to ensuring that taxpayer investments in these communities and programs are sound.

Additionally, I understand that the Report on Tibet Negotiations, which is required by section 613(b) of the Tibetan Policy Act and is to due to Congress by March 31 of each year, has not yet been submitted. These developments or lack thereof send a troubling message about the priority this administration is placing on Tibet.

A recently released report by the International Campaign for Tibet makes clear that the need for this office is as pressing as it has ever been. The report titled, ''A 'Raging Storm': The Crackdown on Tibetan Writers and Artists after Tibet's Spring 2008 Protests,'' found that over 50 Tibetans, including 13 writers, have ''disappeared'' or have faced torture or harassment as a result of expressing their views. The Chinese government's deplorable human rights record, specifically in Tibet, necessitates the department's immediate and unwavering attention.

Given these concerns, I respectfully request that you provide my office with the following information:

A report on the department's efforts to fill expeditiously the two vacant positions in the Office of the Special Coordinator for Tibetan Affairs;

An explanation for the cancellation of the scheduled May trip to Dharamsala by the staffer from the special coordinator's Office; and

The status of the Tibet Negotiations report and any explanation for why it has not been submitted to Congress by the required date.

Best wishes,

Sincerely,

FRANK R. WOLF,
Member of Congress.

With that, Mr. Speaker, I yield to the gentleman from Texas (Mr. GOHMERT).

□ 1930

Mr. GOHMERT. I thank my friend from Virginia, truly a conscience in this body, for those profound words of challenge, bringing us back to the roots from which this great Nation has grown.

And I realize the time grows late, and it is the last hour that we will be in session this week. And if the gentleman would indulge me, I know that we have a President who has said we're not a Christian Nation, and I will not debate that.

But it is so critical to look at our roots. And so I would like to direct, Mr. Speaker, back to the words of Roger Williams when he said: ''That forced worship stinks in God's nostrils, that it denies Christ Jesus yet to come; that in these flames about religion, there is no other prudent, Christian way of preserving peace in the world, but by permission of different consciences.''

These are the words of our Founders that set this Nation in motion, that pointed us in the direction of religious tolerance.

1701, William Penn drafted the Charter of Privileges and said: ''First because no people can truly be happy, though under the greatest enjoyment of civil liberties, if abridged of the freedom of their consciences, as to their religious profession and worship: And Almighty God being the only Lord of Conscience, Father of Lights and Spirits, and the Author as well as Object of all divine knowledge, faith and worship, who only can enlighten the mind, and persuade and convince the understandings of people, I do hereby grant and declare that no person or persons inhabiting this province or territories, shall confess and acknowledge one Almighty God, the Creator, upholder and ruler of the world; and profess him or themselves obliged to live quietly under the civil government, shall be in any case molested or prejudiced in his or their person or estate, because of his or their conscientious persuasion or practice.''

Going back to our heritage, that this country was based on these principles, taught in the Bible, discussed by our Founders, and made the basis of our beliefs in religious freedom, Thomas Jefferson said: ''God who gave us life gave us liberty. And can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are a gift of God? That they are not to be violated, but with His wrath? Indeed, I tremble for my country when I reflect that God is just, that His justice cannot sleep forever.''

And it ought to cause every American to tremble when they think of the injustice we're allowing to be perpetuated on our citizens around the world. It ought to break the hearts and minds and consciences of everyone.

A United States President said these words, referred to a Mr. Levi, a Galveston, Texas lawyer and a president of the National B'nai Brith, drafted President Theodore Roosevelt a telegram denouncing a Russian pogrom in 1903. The Czar of Russia was so stung by Roosevelt's message that he formally refused to accept it. Some Americans complained that Roosevelt had gone too far. He replied that there were crimes so monstrous that the American conscience had to assert itself. And there still are.

''No one is a better witness to the transience of tyranny than the children of Abraham. Forty centuries ago, the Jewish people were entrusted with a truth more enduring than any power of man. In the words of the prophet Isaiah, 'This shall be my covenant with them, said the Lord: My spirit which is upon you, and the words which I have placed in your mouth, shall not be absent from your mouth, nor from the mouth of your children, nor from the mouth of your children's children, said the Lord from now for all time.'

''It is not an accident that freedom of religion is one of the central freedoms in our Bill of Rights. It is the first freedom of the human soul: the right to speak the words that God places in our mouths. We must stand for that freedom in our country. We must speak for that freedom in the world.''

Could the current administration and President dare to do any less than this President that is so reviled in this administration, President George W. Bush?

I would like to just finish with one other thought, and that was what was related to have happened in Iraq after United States troops liberated Iraq, not for any purpose other than to liberate and to free the people there, and to assure us that they would not be a threat to their neighbors or the rest of the world.

President Bush appointed a retired general named Jay Garner. I had heard the story relayed before and I called him this evening to ask if I could retell it here.

He was in charge of looking about, talking to people all around Iraq, and seeing what kind of government would be best suited for Iraq so that we could help the Iraqi people establish a nation of strength and a representative, hopefully, a representative government. And he talked to people around the country. And over and over, people kept referring him to this huge man, a Shiia, a cleric, who wore the black turban, the black robes, and was a descendant, apparently, of Mohammed. And everyone kept telling him he had to talk to this man because everyone looked to him for insight, for words of wisdom.

And so eventually General Garner went, made an appointment, visited with him. He had a number of people with him, including a reporter. He was often a freelance report, but at this point a reporter for Time magazine.

And apparently this cleric spoke very good English, but he said he'd like to tell in his own language what should be done. And he talked for quite some time in his language. Everything was recorded.

And then he said, let me tell you in a nutshell what I've said. We need a constitutional process, perhaps like yours in the United States, where we create a constitution. But it must be written by Iraqis. The government must be of Iraqis. And it must be based on the lessons of Jesus Christ and bring all the nation together.

General Garner said when he left that interview with the people in the entourage, he asked the others, did everybody hear what I just think I heard? And they said, yes. Could you believe he said you needed a constitution based on the teachings of Jesus Christ?

And he asked the reporter from Time, are you going to put that in the story? He said, no one would believe that.

But when you think about the wisdom of this great Shiia cleric, apparently, Shari'ah law does not allow for freedom of religion and worship when it's considered in context too often. That's the way it's interpreted. It's only the teachings of Jesus that allow for a constitution that allow for freedom of worship. Whether you're Muslim, whether you're following the teachings of Mohammed or Jesus or Moses, it's only those teachings that give us the kind of Constitution we have.

But since we have that Constitution, and we have been given the foresight by our Founders of what is required to do justice, to love mercy, we can do nothing less than what my friend from Virginia has indicated. We must stand for those who seek to worship as the directives of their heart lead them.

And I thank my friend so much for the very touching time he has spent here on the floor. And I hope and pray that this administration will take those words to heart. I thank my friend.

Mr. WOLF. I thank the gentleman.

And with that, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DOYLE (at the request of Mr. HOYER) for today on account of illness.

Mr. CULBERSON (at the request of Mr. BOEHNER) for today after 1:45 p.m. on account of medical reasons.

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:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. BRIGHT, for 5 minutes, today.

Ms. WATSON, for 5 minutes, today.

Mr. SABLAN, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

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

Mr. MORAN of Kansas, for 5 minutes, July 29.

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

Mr. BURTON of Indiana, for 5 minutes, July 26, 27, 28, and 29.

Mr. POE of Texas, for 5 minutes, July 29.

Mr. JONES, for 5 minutes, July 29.

Mr. FLAKE, for 5 minutes, today.

Mr. PUTNAM, for 5 minutes, July 27 and 28.

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

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1376. An act to restore immunization and sibling age exemptions for children adopted by United States citizens under the Hague Convention on Intercountry Adoption to allow their admission into the United States; to the Committee on the Judiciary.

ENROLLED BILL SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4213. An act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

ADJOURNMENT

Mr. WOLF. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 36 minutes p.m.), under its previous order, the House adjourned until Monday, July 26, 2010, at 12:30 p.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

8489. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the System's ''Major'' final rule — Truth in Lending [Regulation Z; Docket No. R-1384] received July 12, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8490. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the System's final rule — Truth in Savings [Regulation DD; Docket No. R-1315] received July 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8491. A letter from the OTS Paperwork Clearance Officer, Office of Thrift Supervision, transmitting the Office's ''Major'' final rule — Unfair or Deceptive Acts or Practices; Amendment [Docket ID: OTS-2010-0009] (RIN: 1550-AC38) received July 12, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8492. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's ''Major'' final rule — Political Contributions by Certain Investment Advisers (RIN: 3235-AK39) received July 12, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8493. A letter from the Assistant General Counsel for Regulations, Office of General

Counsel, Department of Education, transmitting the Department's final rule — Carol M. White Physical Education Program; Catalog of Federal Domestic Assistance (CFDA) Number: 84.215F received June 30, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

8494. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — National Institute on Disability and Rehabilitation Research (NIDRR) — Disability and Rehabilitation Research Projects and Centers Program — Rehabilitation Research and Training Centers (RRTCs) — Improved Outcomes for Individuals with Serious Mental Illness and Co-Occuring Conditions. Catalog of Federal Domestic Assistance (CFDA) Number: 84.133B-5 received June 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

8495. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's ''Major'' final rule — Reasonable Contract or Arrangement Under Section 408(b)(2) — Fee Disclosure (RIN: 1210-AB08) received July 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

8496. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's ''Major'' final rule — Interim Final Rules for Group Health Plans and Health Insurance Issuers Relating to Coverage of Preventive Services Under the Patient Protection and Affordable Care Act (RIN: 1210-AB44) received July 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

8497. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Finding of Attainment for PM10 for the Mendenhall Valley PM10 Nonattainment Area, Alaska [Docket: EPA-R10-OAR-2010-0432; FRL-9171-4] received June 30, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8498. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District [EPA-R09-OAR-2010-0120; FRL-9169-2] received June 30, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8499. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Addition of New Export Control Classification Number 6A981 Passive Infrasound Sensors to the Commerce Control List of the Export Administration Regulations, and Related Amendments [Docket No.: 080724907-91435-01] (RIN: 0694-AE44) received July 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

8500. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 08-10 informing of an intent to sign a Project Agreement with the NATO AEW&C Programme Management Organization; to the Committee on Foreign Affairs.

8501. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 10-12 informing of an intent to sign a Project Agreement with the Kingdom of the Netherlands; to the Committee on Foreign Affairs.

8502. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Schedule of Fees for Consular Services, Department of State and Overseas Embassies and Consulates [Public Notice: 7018] (RIN: 1400-AC57) received July 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

8503. A letter from the Chair, Election Assistance Commission, transmitting the Commission's final rule — Nonprocurement Debarment and Suspension received July 14, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

8504. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's final rule — Trademark Technical and Conforming Amendments [Docket No.: PTO-T-2010-0014] (RIN: 0651-AC39) received June 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

8505. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's final rule — Correspondence with the United States Patent and Trademark Office [Docket No.: PTO-C-2006-0049] (RIN: 0651-AC08) received June 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

8506. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Golden Guardian 2010 Regional Exercise; San Francisco Bay, San Francisco, CA [Docket No.: USCG-2010-0221] (RIN: 1625-AA87) received June 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8507. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; U.S. Navy Submarines, Hood Canal, WA [Docket No.: USCG-2009-1058] (RIN: 1625-AA11) received June 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8508. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Marathon Oil Refinery Construction, Rouge River Detroit, MI [Docket No.: USCG-2010-0333] (RIN: 1625-AA00) received June 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8509. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Clemente 3 NM Safety Zone, San Clemente Island, CA [Docket No.: USCG-2009-0277] (RIN: 1625-AA00) received June 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8510. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation for Marine Events; Temporary change of dates for Recurring Marine Events in the Fifth Coast Guard District [Docket No.: USCG-2010-0102] (RIN: 1625-AA08) received June 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8511. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Portland Rose Festival Fleet Week, Willamette River, Portland, Oregon [Docket No.: USCG-2010-0196] (RIN: 1625-AA87) received June 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8512. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gallants Channel, Beaufort, NC [Docket No.: USCG-2010-0120] (RIN: 1625-AA00) received June 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8513. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety zones; Marine events within the Captain of the Port Sector Northern New England area of responsibility [Docket No.: USCG-2010-0239] (RIN: 1625-AA00) received June 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8514. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Annual events requiring safety zones in the Captain of the Port Lake Michigan zone [Docket No.: USCG-2010-0129] (RIN: 1625-AA00) received June 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8515. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety zone; Sea World Summer Nights Fireworks, Mission Bay, San Diego, CA [Docket No.: USCG-2010-0213] (RIN: 1625-AA00) received June 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8516. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; KFOG Kaboom, Fireworks Display, San Francisco, CA [Docket No.: USCG-2010-0162] (RIN: 1625-AA00) received June 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8517. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Tri-City Water Follies Hydroplane Races Practice Sessions, Columbia River, Kennewick, WA [Docket No.: USCG-2010-0277] (RIN: 1625-AA00) received June 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8518. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Under Water Clean Up of Copper Canyon, Lake Havasu, AZ [Docket No.: USCG-2010-0168] (RIN: 1625-AA00) received June 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8519. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; May Fireworks displays within the Captain of the Port Puget Sound Area of Responsibility (AOR) [Docket No.: USCG-2010-0285] (RIN: 1625-AA00) received June 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8520. A letter from the Project Council, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Brandon Road Lock and Dam to Lake Michigan including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago river, and Calumet-Saganashkee Channel, Chicago, IL [Docket No.: USCG-2010-0166] (RIN: 1625-AA00) received June 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8521. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Potomac River, Washington Channel, Washington, DC [Docket No.: USCG-2010-

0405] (RIN: 1625-AA87) received June 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8522. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Riser for DEEPWATER HORIZON at Mississippi Canyon 252 Outer Continental Shelf MODU in the Gulf of Mexico [Docket No.: USCG-2010-0337] (RIN: 1625-AA00) received June 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8523. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Temporary Suspension of Certain Oil Spill Response Time Requirements to Support Deepwater Horizon Oil Spill of National Significance (SONS) Response [Docket No.: USCG-2010-0592; EPA-HQ-OPA-2010-0559] (RIN: 1625-AB49; 2050-AG63) received June 30, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8524. A letter from the Acting Director, Acquisition Policy and Legislation Branch, Department of Homeland Security, transmitting the Department's final rule — Homeland Security Acquisition Regulation; Lead System Integrators [HSAR Case 2009-003] [Docket No.: DHS-2009-0006] (RIN: 1601-AA49), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Florida: Committee on Rules. House Resolution 1550. Resolution providing for consideration of the Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes (Rept. 111–556). Referred to the House Calendar.

Mr. BRADY of Pennsylvania: Committee on House Administration. H.R. 5681. A bill to improve certain administrative operations of the Library of Congress, and for other purposes (Rept. 111–557). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of Mississippi: Committee on Homeland Security. H.R. 3837. A bill to amend the Homeland Security Act of 2002 to provide for clarification on the use of funds relating to certain homeland security grants, and for other purposes; with an amendment (Rept. 111–558). Referred to the Committee of the Whole House on the State of the Union.

Mr. EDWARDS of Texas: Committee on Appropriations. H.R. 5822. A bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2011, and for other purposes (Rept. 111–559). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 847. A bill to amend the Public Health Service Act to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001, and for other purposes; with an amendment (Rept. 111–560, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. H.R. 847. A bill to amend the Public Health Service Act to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001, and for other purposes; with an amendment (Rept. 111–560, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. BRADY of Pennsylvania: Committee on House Administration. H.R. 5493. A bill to provide for the furnishing of statues by the District of Columbia for display in Statuary Hall in the United States Capitol (Rept. 111–561). Referred to the House Calendar.

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. PITTS (for himself and Mr. CASTLE):

H.R. 5813. A bill to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System; to the Committee on Natural Resources.

By Ms. WATERS (for herself, Mr. FRANK of Massachusetts, and Ms. VELÁZQUEZ):

H.R. 5814. A bill to transform neighborhoods of extreme poverty by revitalizing distressed housing, to reform public housing demolition and disposition rules to require one for one replacement and tenant protections, to provide public housing agencies with additional resources and flexibility to preserve public housing units, and to create a pilot program to train public housing residents to provide home-based health services; to the Committee on Financial Services.

By Mr. TOWNS (for himself and Mr. ISSA):

H.R. 5815. A bill to amend the Inspector General Act of 1978 to provide authority for Inspectors General to subpoena the attendance and testimony of witnesses, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. MINNICK (for himself, Mr. SHULER, Mr. SIMPSON, Ms. KOSMAS, Mr. LATOURETTE, Mr. HEINRICH, and Mr. MARSHALL):

H.R. 5816. A bill to establish a commercial real estate credit guarantee program to empower community banks and other lenders to make loans while stabilizing the value of small denomination commercial real estate assets, and for other purposes; to the Committee on Financial Services.

By Mr. LEWIS of Georgia:

H.R. 5817. A bill to provide children in foster care with school stability and equal access to educational opportunities; to the Committee on Education and Labor, 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. GARRETT of New Jersey:

H.R. 5818. A bill to amend title IV of the Congressional Budget Act of 1974 and the Rules of the House of Representatives to make Federal private sector mandates subject to a point of order, and for other purposes; to the Committee on Rules, 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. GUTHRIE:

H.R. 5819. A bill to direct the Secretary of Transportation to establish a grant program to develop a roadway safety training institute to deliver comprehensive and uniform roadway safety training to roadway workers; to the Committee on Transportation and Infrastructure.

By Mr. RUSH (for himself, Mr. WAXMAN, Ms. CASTOR of Florida, Ms. DEGETTE, Ms. SCHAKOWSKY, and Mr. SARBANES):

H.R. 5820. A bill to amend the Toxic Substances Control Act to ensure that the public and the environment are protected from risks of chemical exposure, and for other purposes; to the Committee on Energy and Commerce.

By Mr. COHEN:

H.R. 5821. A bill to require the Secretary of Energy to provide competitive grants to States, Indian tribes, and local governments 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, and for other purposes; to the Committee on Energy and Commerce.

By Mr. EDWARDS of Texas:

H.R. 5822. A bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2011, and for other purposes.

By Mr. GARRETT of New Jersey (for himself, Mr. KANJORSKI, and Mr. BACHUS):

H.R. 5823. A bill to establish a covered bond regulatory oversight program, and for other purposes; to the Committee on Financial Services.

By Mr. BLUMENAUER (for himself, Mr. PERLMUTTER, Mr. CONNOLLY of Virginia, Mr. MCDERMOTT, Mr. CLEAVER, Mr. SIRES, Ms. WATSON, Mr. MORAN of Virginia, Mr. COHEN, and Ms. TITUS):

H.R. 5824. A bill to require the Secretary of Housing and Urban Development to establish a process for incorporating transportation costs associated with the location of housing into affordability measures and standards, and to develop a transportation affordability index to measure and disclose the transportation costs associated with the location of a home; to the Committee on Financial Services.

By Mr. HILL:

H.R. 5825. A bill to review, update, and revise the factors to measure the severity, magnitude, and impact of a disaster and to evaluate the need for assistance to individuals and households; to the Committee on Transportation and Infrastructure.

By Mr. ALTMIRE (for himself and Mr. PLATTS):

H.R. 5826. A bill to amend title 38, United States Code, to expand the definition of active duty for purposes of the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs to include certain service in National Guard; to the Committee on Veterans' Affairs.

By Mr. BOCCIERI (for himself, Mr. HUNTER, Ms. MARKEY of Colorado, Mr. OWENS, Mr. RAHALL, Mr. SPACE, Mr. MURPHY of New York, Mr. KISSELL, Mr. HOLDEN, Mr. CONAWAY, Mr. BURTON of Indiana, Mrs. KIRKPATRICK of Arizona, Mr. YOUNG of Alaska, Mr. LATOURETTE, Mr. SIMPSON, Mr. MINNICK, Mr. BOUCHER, Mr. WALZ, Mr. WAMP, Mr. JOHNSON of Illinois, Mr. THORNBERRY, and Mr. PETERSON):

H.R. 5827. A bill to amend title 11 of the United States Code to include firearms in the types of property allowable under the alternative provision for exempting property from the estate; to the Committee on the Judiciary.

By Mr. BOUCHER (for himself and Mr. TERRY):

H.R. 5828. A bill to reform the universal service provisions of the Communications Act of 1934, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BUTTERFIELD (for himself, Mr. MCINTYRE, Mr. JONES, Mr. BRADY of Pennsylvania, Mr. COBLE, Ms. BORDALLO, Mr. KISSELL, Mrs. CHRISTENSEN, Mr. SPRATT, Ms. SHEA-PORTER, Ms. FOXX, Ms. MCCOLLUM, Mrs. MYRICK, Mr. BISHOP of Georgia, Mr. ETHERIDGE, Mr. MCHENRY, Mr. DELAHUNT, and Mr. TAYLOR):

H.R. 5829. A bill to direct the Secretary of Defense to accept additional documentation when considering the application for veterans status of an individual who performed service in the merchant marines during World War II, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, 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. COOPER:

H.R. 5830. A bill to provide for competitive grants for the establishment and expansion of programs that use networks of public, private, and faith-based organizations to recruit and train foster and adoptive parents and provide support services to foster children and their families; to the Committee on Ways and Means.

By Mr. CUELLAR:

H.R. 5831. A bill to designate the facility of the United States Postal Service located at 1081 Elbel Road in Schertz, Texas, as the ''Schertz Veterans Post Office''; to the Committee on Oversight and Government Reform.

By Mrs. DAHLKEMPER:

H.R. 5832. A bill to amend the Small Business Act to improve the Office of International Trade, and for other purposes; to the Committee on Small Business.

By Mr. DEUTCH (for himself, Ms. ROS-LEHTINEN, Mr. ACKERMAN, Mr. BURTON of Indiana, and Mr. KLEIN of Florida):

H.R. 5833. A bill to amend the Securities Exchange Act of 1934 to require issuers to make disclosures related to Iranian investments, and for other purposes; to the Committee on Financial Services.

By Mr. DEUTCH:

H.R. 5834. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to make improvements in the old-age, survivors, and disability insurance program, to provide for cash relief for years for which annual COLAs do not take effect under certain cash benefit programs, and to provide for Social Security benefit protection; to the Committee on Ways and Means, and in addition to the Committees on Education and Labor, Rules, Transportation and Infrastructure, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ELLISON (for himself and Mr. BRADY of Pennsylvania):

H.R. 5835. A bill to authorize the use of subpoenas by the Office of Healthy Homes and Lead Hazard Control of the Department of Housing and Urban Development in investigations of potential violations of the Residential Lead-Based Paint Hazard Reduction Act of 1992; to the Committee on Financial Services.

By Mr. GRAVES of Missouri:

H.R. 5836. A bill to provide for improved border security and to ensure that employers that participate in the E-Verify Program are not subject to unjustified penalties; to the Committee on Homeland Security, and in addition to the Committees on the Judiciary, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GENE GREEN of Texas:

H.R. 5837. A bill to require persons to certify that they have not violated foreign corrupt practices statutes before being awarded Government contracts, and for other purposes; to the Committee on Oversight and Government Reform.

By Mrs. HALVORSON (for herself and Mr. RUSH):

H.R. 5838. A bill to amend title 38, United States Code, to improve the multifamily transitional housing loan program of the Department of Veterans Affairs by requiring the Secretary of Veterans Affairs to issue loans for the construction of, rehabilitation of, or acquisition of land for multifamily transitional housing projects instead of guaranteeing loans for such purposes, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HEINRICH (for himself, Mr. LUJÁN, and Mr. TEAGUE):

H.R. 5839. A bill to amend the Internal Revenue Code of 1986 to clarify the types of energy conservation subsidies provided by public utilities eligible for income exclusion; to the Committee on Ways and Means.

By Mr. HUNTER (for himself, Mr. ROHRABACHER, Mr. POE of Texas, Mr. MARCHANT, Mr. BRADY of Texas, Mr. MANZULLO, Mr. KING of Iowa, Mr. HALL of Texas, Mr. BARTLETT, Mr. DANIEL E. LUNGREN of California, Mr. TIAHRT, Mr. CARTER, Mr. SAM JOHNSON of Texas, Mr. DUNCAN, Mrs. MYRICK, Mr. GARY G. MILLER of California, Mr. CHAFFETZ, Mr. ROYCE, and Mr. FRANKS of Arizona):

H.R. 5840. A bill to prevent the participation of the Attorney General in any lawsuit that seeks to invalidate certain provisions of Arizona law relating to aliens unlawfully present in the United States without first satisfying certain conditions; to the Committee on the Judiciary.

By Mr. ISRAEL:

H.R. 5841. A bill to authorize the Secretary of Veterans Affairs to establish public-private partnerships for the treatment and research of post-traumatic stress disorder; to the Committee on Veterans' Affairs.

By Ms. JENKINS:

H.R. 5842. A bill to deem any adjournment of the House of Representatives which is in effect on the date of the regularly scheduled general election for Federal office held during a Congress to be adjournment sine die, and to amend title 31, United States Code, to provide for automatic continuing appropriations if a regular appropriation bill for a fiscal year does not become law before the date of the regularly scheduled general election for Federal office held during such fiscal year; to the Committee on Appropriations, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSEN of Washington (for himself, Mr. SMITH of Washington, Mr. YOUNG of Alaska, Mr. BISHOP of Georgia, Mrs. MCMORRIS RODGERS, Mrs. HALVORSON, Mr. COURTNEY, Mr. REYES, Mrs. BLACKBURN, Mr. DICKS, Mr. OBERSTAR, Mr. MCDERMOTT, Mr. HASTINGS of Washington, Mr. FILNER, Mr. CARTER, Ms. HIRONO, Mr. LAMBORN, Mr. REHBERG, Mr. SKELTON, Mr. GONZALEZ, Mr. INSLEE, and Mr. REICHERT):

H.R. 5843. A bill to amend title VIII of the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to complete payments under such title to local educational agencies eligible for such payments within 3 fiscal years; to the Committee on Education and Labor.

By Mr. ROTHMAN of New Jersey:

H.R. 5844. A bill to amend title XVIII of the Social Security Act to provide all Medicare beneficiaries with the right to guaranteed issue of a Medicare supplemental policy and annual open change-in-enrollment periods, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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. SABLAN:

H.R. 5845. A bill to authorize 700 incremental vouchers for tenant-based rental assistance under section 8 of the United States Housing Act of 1937 to help meet the housing needs of low-income families in the Commonwealth of the Northern Mariana Islands; to the Committee on Financial Services.

By Mr. SARBANES (for himself, Mr. GRIJALVA, and Mrs. CAPPS):

H.R. 5846. A bill to amend the Outer Continental Shelf Lands Act to require the chief executive officer of each drilling and production operation under a lease under that Act to annually certify the operator's compliance with all applicable laws and operating regulations; to the Committee on Natural Resources.

By Mr. WALZ (for himself and Mr. BOOZMAN):

H.R. 5847. A bill to amend the Child Abuse Prevention and Treatment Act to establish grant programs for the development and implementation of model undergraduate and graduate curricula on child abuse and neglect at institutions of higher education throughout the United States and to assist States in developing forensic interview training programs, to establish regional training centers and other resources for State and local child protection professionals, and for other purposes; to the Committee on Education and Labor.

By Mr. WELCH (for himself and Mr. DAVIS of Kentucky):

H.R. 5848. A bill to amend the Public Health Service Act to revise the amount of minimum allotments under the Projects for Assistance in Transition from Homelessness Program; to the Committee on Energy and Commerce.

By Mr. MICHAUD (for himself, Mr. RYAN of Ohio, Mr. CRITZ, Mr. KRATOVIL, Mr. INGLIS, Mr. ROGERS of Alabama, Mr. TEAGUE, Mr. LIPINSKI, Mr. MURPHY of New York, Ms. BORDALLO, Mr. FILNER, Mr. WILSON of South Carolina, Mr. BARTLETT, Ms. SHEA-PORTER, Mr. TAYLOR, Ms. PINGREE of Maine, Ms. SUTTON, Mr. NYE, Mr. KISSELL, and Ms. GIFFORDS):

H.J. Res. 94. A joint resolution recognizing the 20th anniversary of the outbreak of the Gulf War and reaffirming the commitment of the United States towards Gulf War veterans; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KUCINICH (for himself and Mr. PAUL):

H. Con. Res. 301. Concurrent resolution directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Pakistan; to the Committee on Foreign Affairs.

By Mr. KLEIN of Florida:

H. Con. Res. 302. Concurrent resolution recognizing the 75th anniversary of the signing of the Social Security Act into public law; to the Committee on Ways and Means.

By Ms. ROS-LEHTINEN (for herself, Mr. ROYCE, Mr. PENCE, Mr. FORTENBERRY, Mr. WILSON of South Carolina, and Mr. BURTON of Indiana):

H. Con. Res. 303. Concurrent resolution recognizing the growing threat that al Qaeda and its affiliates in Africa, particularly al Shabaab and al Qaeda in the Islamic Maghreb, pose to the United States and its allies and interests; to the Committee on Foreign Affairs.

By Mr. FALEOMAVAEGA (for himself, Mr. ELLISON, Mr. HASTINGS of Florida, Ms. LEE of California, Mr. GRIJALVA, Mr. DELAHUNT, Mr. HONDA, Mr. GEORGE MILLER of California, and Mr. LEWIS of Georgia):

H. Res. 1551. A resolution expressing the sense of the House of Representatives that the United States should promote respect for and full application of the provisions of the United Nations Declaration on the Rights of Indigenous Peoples consistent with United States law; to the Committee on Foreign Affairs.

By Mr. FALEOMAVAEGA:

H. Res. 1552. A resolution supporting a legally binding global agreement to reduce greenhouse gas emissions and provide financial assistance to the poorest and most vulnerable nations for adaptation and mitigation measures, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GOHMERT (for himself, Mr. AKIN, Mrs. BACHMANN, Mr. BARTLETT, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. BONNER, Mr. BROUN of Georgia, Mr. BURTON of Indiana, Mr. CAMPBELL, Mr. CHAFFETZ, Mr. CONAWAY, Mr. CULBERSON, Ms. FALLIN, Mr. FLEMING, Mr. FRANKS of Arizona, Mr. GINGREY of Georgia, Ms. GRANGER, Mr. GRIFFITH, Mr. HENSARLING, Mr. HERGER, Mr. KING of Iowa, Mr. LAMBORN, Mr. LATTA, Mr. LOBIONDO, Mrs. LUMMIS, Mr. MARCHANT, Mr. NEUGEBAUER, Mr. PENCE, Mr. PITTS, Mr. POSEY, Mr. PRICE of Georgia, Mr. OLSON, Mr. ROONEY, Mrs. SCHMIDT, Mr. SHADEGG, Mr. SMITH of Texas, Mr. WESTMORELAND, Mr. ROSKAM, Mr. MCCOTTER, Mr. BROWN of South Carolina, Mr. RYAN of Wisconsin, Mr. MCCLINTOCK, Mr. JORDAN of Ohio, Mr. BARTON of Texas, Mr. KINGSTON, and Mr. CARTER):

H. Res. 1553. A resolution expressing support for the State of Israel's right to defend Israeli sovereignty, to protect the lives and safety of the Israeli people, and to use all means necessary to confront and eliminate nuclear threats posed by the Islamic Republic of Iran, including the use of military force if no other peaceful solution can be found within reasonable time to protect against such an immediate and existential threat to the State of Israel; to the Committee on Foreign Affairs.

By Mrs. MCCARTHY of New York (for herself and Ms. GINNY BROWN-WAITE of Florida):

H. Res. 1554. A resolution recognizing the services provided by school resource officers and their dedication to the safety, security, and well-being of students, teachers, school support staff, and school communities in the United States; to the Committee on Education and Labor, and in addition to the Committee on the Judiciary, 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.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

350. The SPEAKER presented a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 23 memorializing the Congress to remove the financial eligibility requirements for patients stricken with amyothrophic lateral sclerosis to be approved to receive Medicaid; to the Committee on Energy and Commerce.

351. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Resolution No. 117 memorializing the President of the United States, the Congress and the Federal Communications Commisssion to refrain from regulating Internet broadband services as common carrier services under Title II of the Communications Act of 1934; to the Committee on Energy and Commerce.

352. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 96 memorializing the Congress to consider recommendations to amend the Stafford Act regarding disaster recovery in Louisiana; to the Committee on Transportation and Infrastructure.

353. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 14 memorializing the Congress to take such actions as are necessary to promptly consider and pass the New Alternative Transportation to Give Americans Solutions Act of 2009 (H.R. 1835 and S. 1408); jointly to the Committees on Ways and Means, Oversight and Government Reform, and Science and Technology.

354. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 8 memorializing the Congress to support expansion and use of domestic natural gas reserves and alternative energies to reduce our reliance on imported oil by supporting H.R. 1835 and S. 1408; jointly to the Committees on Ways and Means, Oversight and Government Reform, and Science and Technology.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 336: Mr. POLIS, Ms. ESHOO, Mr. CARNAHAN, and Ms. JACKSON LEE of Texas.
H.R. 393: Mr. DJOU.
H.R. 442: Mr. DEFAZIO.
H.R. 560: Mr. RUPPERSBERGER.
H.R. 564: Mr. ACKERMAN.
H.R. 571: Mr. THORNBERRY and Ms. LEE of California.
H.R. 634: Mr. CARTER.
H.R. 673: Mr. HEINRICH.
H.R. 678: Ms. KILROY, Mr. ALTMIRE, Mr. SNYDER, Mrs. BLACKBURN, and Mr. ETHERIDGE.
H.R. 789: Mr. HASTINGS of Florida.
H.R. 847: Mr. PAYNE.
H.R. 874: Ms. CASTOR of Florida.
H.R. 881: Mr. SHADEGG, Mr. POSEY, and Mr. BLUNT.
H.R. 903: Mr. GINGREY of Georgia.
H.R. 1067: Mr. YOUNG of Alaska.
H.R. 1074: Mr. EDWARDS of Texas and Mr. PRICE of Georgia.
H.R. 1124: Ms. DELAURO, Ms. LEE of California, Mr. MEEKS of New York, Ms. BALDWIN, Mr. HINCHEY, and Mr. BRADY of Pennsylvania.
H.R. 1179: Mr. SMITH of Washington, Mr. FRANK of Massachusetts, Mr. PETERSON, and Mr. ELLISON.
H.R. 1229: Mr. THORNBERRY.
H.R. 1230: Mr. HASTINGS of Florida.
H.R. 1314: Mr. HASTINGS of Washington.
H.R. 1351: Mr. BERMAN and Mr. SCHIFF.
H.R. 1549: Mr. GARAMENDI.
H.R. 1618: Mr. CUMMINGS.
H.R. 1625: Mr. CUMMINGS.
H.R. 1745: Mr. GINGREY of Georgia.
H.R. 1751: Mr. LEVIN.
H.R. 1826: Mr. BACA.
H.R. 1829: Mr. ALEXANDER.
H.R. 1874: Mr. LIPINSKI.
H.R. 1878: Mr. SNYDER.
H.R. 1929: Mr. GRIJALVA.
H.R. 1943: Mr. ENGEL.
H.R. 1995: Ms. HARMAN, Mr. HALL of Texas, Ms. BALDWIN, Ms. MATSUI, Mr. MCNERNEY, Mr. REYES, Mr. GRIJALVA, Ms. SUTTON, and Mr. GONZALEZ.
H.R. 2084: Mr. HINCHEY.
H.R. 2103: Mr. BARROW.
H.R. 2112: Ms. PINGREE of Maine.
H.R. 2262: Mr. HARE.
H.R. 2373: Mr. HODES.
H.R. 2429: Mr. HOLDEN.
H.R. 2570: Mr. DAVIS of Illinois and Ms. SCHAKOWSKY.
H.R. 2575: Mr. TIM MURPHY of Pennsylvania.
H.R. 2598: Mr. ANDREWS, Mr. CRITZ, Mr. PETERS, Ms. SCHWARTZ, Ms. SHEA-PORTER, and Mr. WALZ.
H.R. 2616: Mr. HASTINGS of Florida.
H.R. 2648: Mr. GUTIERREZ and Mr. HINCHEY.
H.R. 2766: Mrs. LOWEY.
H.R. 2882: Mr. COURTNEY, Mr. HOLT, and Mr. TONKO.
H.R. 3377: Mr. FILNER, Mr. BOSWELL, Mr. TAYLOR, Ms. HIRONO, Mr. HARE, Mr. CUMMINGS, Mr. MICHAUD, Mr. COHEN, Ms. SHEA-PORTER, and Mr. LARSEN of Washington.
H.R. 3408: Mr. CONYERS, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. ACKERMAN.
H.R. 3464: Mr. SKELTON, Mr. SCHAUER, and Mr. CARDOZA.
H.R. 3652: Mr. REICHERT and Mr. ELLSWORTH.
H.R. 3668: Mr. STUPAK.
H.R. 3716: Mr. BARTLETT.
H.R. 3729: Mr. ALTMIRE.
H.R. 3786: Mr. PATRICK J. MURPHY of Pennsylvania and Mr. DINGELL.
H.R. 3936: Mr. LARSEN of Washington, Mr. LOEBSACK, and Mr. BRALEY of Iowa.
H.R. 3974: Mr. FILNER.
H.R. 4037: Mr. ROTHMAN of New Jersey.
H.R. 4116: Ms. WASSERMAN SCHULTZ, Mr. VAN HOLLEN, and Mr. CONYERS.
H.R. 4129: Ms. BEAN.
H.R. 4197: Mr. MICHAUD.
H.R. 4322: Mr. HOLDEN, Mr. SIRES, and Mr. JOHNSON of Illinois.
H.R. 4533: Mr. GUTIERREZ.
H.R. 4557: Mr. ELLISON and Mr. MCINTYRE.
H.R. 4662: Ms. LEE of California and Ms. CORRINE BROWN of Florida.
H.R. 4671: Ms. MARKEY of Colorado and Mr. GARAMENDI.
H.R. 4678: Mr. SMITH of Washington.
H.R. 4689: Mr. GUTHRIE and Mr. LYNCH.
H.R. 4722: Mr. LYNCH.
H.R. 4746: Mr. BUCHANAN and Mr. ROGERS of Kentucky.
H.R. 4764: Mr. PIERLUISI, Mr. BERRY, Ms. KILROY, and Mr. RUPPERSBERGER.
H.R. 4787: Mr. ALTMIRE.
H.R. 4790: Mr. SHERMAN.
H.R. 4808: Mr. FILNER, Mr. HOLT, Mr. GRIJALVA, Mr. WU, Mr. ACKERMAN, Mr. CARSON of Indiana, and Mr. PATRICK J. MURPHY of Pennsylvania.
H.R. 4852: Mrs. CAPPS.
H.R. 4875: Mr. BOUCHER.
H.R. 4914: Mr. HASTINGS of Florida and Mr. DEUTCH.
H.R. 4925: Ms. ESHOO.
H.R. 4940: Mr. CLAY.
H.R. 4959: Mr. TURNER.
H.R. 4986: Ms. FOXX and Mr. MANZULLO.

H.R. 4993: Mr. MCGOVERN.
H.R. 5023: Mr. GONZALEZ, Mr. GUTIERREZ, Mrs. NAPOLITANO, and Mr. BACA.
H.R. 5034: Mr. KISSELL.
H.R. 5037: Mr. LYNCH.
H.R. 5040: Mr. BRALEY of Iowa, Mr. HARE, and Mr. LOEBSACK.
H.R. 5042: Mr. WATT, Mr. GRAYSON, and Mr. LYNCH.
H.R. 5078: Ms. BALDWIN and Mr. HINCHEY.
H.R. 5081: Mr. TANNER.
H.R. 5141: Mr. ROGERS of Kentucky, Mr. CONAWAY, Mr. JONES, Mr. SCALISE, Mr. LANCE, Mr. MARIO DIAZ-BALART of Florida, Mr. TURNER, Mr. ALEXANDER, Mr. HUNTER, Mr. MCHENRY, Mr. BARRETT of South Carolina, and Ms. TSONGAS.
H.R. 5162: Mr. EDWARDS of Texas.
H.R. 5235: Mr. MELANCON.
H.R. 5248: Mr. HOLT.
H.R. 5258: Mr. FOSTER and Mr. JONES.
H.R. 5318: Mr. BROUN of Georgia.
H.R. 5323: Mr. BROWN of South Carolina, Mr. SENSENBRENNER, Mr. COBLE, and Mr. JONES.
H.R. 5412: Mr. CARNAHAN.
H.R. 5422: Mr. FARR.
H.R. 5424: Mr. DENT and Mr. GERLACH.
H.R. 5434: Ms. HARMAN and Mr. RUPPERSBERGER.
H.R. 5461: Mr. HOLDEN.
H.R. 5473: Mr. SMITH of Washington.
H.R. 5476: Mr. KING of New York, Mr. EHLERS, and Mr. LATOURETTE.
H.R. 5478: Mr. SHIMKUS.
H.R. 5504: Mr. VAN HOLLEN, Mr. THOMPSON of Mississippi, Mr. SIRES, Mr. LANGEVIN, Mr. BRADY of Pennsylvania, Mr. FATTAH, and Ms. BERKLEY.
H.R. 5510: Mr. LATOURETTE.
H.R. 5529: Mr. QUIGLEY and Mrs. BLACKBURN.
H.R. 5533: Ms. BALDWIN.
H.R. 5537: Mr. DEFAZIO.
H.R. 5567: Mr. BLUMENAUER.
H.R. 5575: Mr. PERRIELLO, Mr. FRANK of Massachusetts, Mr. SABLAN, Mr. WEINER, and Ms. NORTON.
H.R. 5597: Mr. NUNES.
H.R. 5599: Mr. CROWLEY and Mr. DAVIS of Kentucky.
H.R. 5600: Mr. ROTHMAN of New Jersey and Mr. PAUL.
H.R. 5644: Mr. HODES and Mr. TIERNEY.
H.R. 5647: Mr. DJOU and Mr. BOOZMAN.
H.R. 5654: Ms. HIRONO.
H.R. 5657: Mr. CONNOLLY of Virginia and Mr. POLIS.
H.R. 5660: Mr. SMITH of Washington.
H.R. 5662: Mr. MCNERNEY.
H.R. 5663: Mr. SPACE, Mr. FILNER, Mr. TONKO, and Mr. STARK.
H.R. 5664: Mr. CARNAHAN.
H.R. 5679: Mr. OLSON, Mr. HOEKSTRA, and Mr. PAUL.
H.R. 5693: Mr. THOMPSON of Mississippi.
H.R. 5694: Ms. SLAUGHTER.
H.R. 5730: Mr. FLAKE.
H.R. 5766: Mr. HINCHEY, Mr. CARNAHAN, Mr. HALL of New York, Mr. VAN HOLLEN, Ms. GIFFORDS, and Mr. ELLISON.
H.R. 5768: Mr. SABLAN.
H.R. 5769: Mrs. MILLER of Michigan and Mr. ROHRABACHER.
H.R. 5772: Mr. BARTON of Texas, Mr. MCCAUL, and Mr. WESTMORELAND.
H.R. 5778: Mr. BONNER, Mr. WHITFIELD, and Mr. JONES.
H.R. 5786: Ms. DEGETTE, Mr. MORAN of Virginia, Ms. LEE of California, Mr. CONYERS, and Mr. HASTINGS of Florida.
H.R. 5790: Mr. CARTER, Mr. PAUL, and Mr. GENE GREEN of Texas.
H.R. 5791: Mr. DINGELL, Mr. PASTOR of Arizona, Mr. FATTAH, and Mr. MURPHY of Connecticut.
H.R. 5792: Mr. FATTAH.
H.R. 5793: Mr. FATTAH.
H. Con. Res. 226: Mr. KLEIN of Florida, Ms. SCHWARTZ, Mr. WAXMAN, and Ms. TITUS.
H. Con. Res. 259: Mr. ROTHMAN of New Jersey.
H. Con. Res. 266: Mrs. BLACKBURN and Mr. SHIMKUS.
H. Con. Res. 274: Ms. GINNY BROWN-WAITE of Florida and Mr. BILIRAKIS.
H. Con. Res. 281: Mr. MCHENRY.
H. Res. 111: Ms. BEAN, Mr. BLUNT, and Mr. KIND.
H. Res. 732: Mr. NYE.
H. Res. 767: Mr. MORAN of Virginia.
H. Res. 913: Ms. LEE of California.
H. Res. 1102: Ms. WATERS.
H. Res. 1129: Mr. SMITH of Texas and Mr. BOUSTANY.
H. Res. 1217: Mr. INSLEE, and Mr. PATRICK J. MURPHY of Pennsylvania.
H. Res. 1309: Mr. PRICE of North Carolina and Mr. BOYD.
H. Res. 1311: Mr. GORDON of Tennessee.
H. Res. 1319: Mr. HOLDEN, Mrs. MCCARTHY of New York, Mr. BACA, and Mr. SERRANO.
H. Res. 1326: Mr. GENE GREEN of Texas.
H. Res. 1346: Mr. LATOURETTE.
H. Res. 1402: Mr. WILSON of South Carolina.
H. Res. 1420: Mr. LEWIS of Georgia.
H. Res. 1431: Mr. CARNEY, Mr. OLSON, Mr. GARRETT of New Jersey, Mr. MARIO DIAZ-BALART of Florida, Mrs. MALONEY, Mr. MCGOVERN, Mrs. BLACKBURN, and Mr. FALEOMAVAEGA.
H. Res. 1433: Mr. BUTTERFIELD, Mr. ARCURI, Mr. MCGOVERN, Mr. MARSHALL, Mr. COBLE, Ms. BORDALLO, Mr. TERRY, and Mr. KISSELL.
H. Res. 1452: Ms. MCCOLLUM, Ms. DELAURO, and Mr. HONDA.
H. Res. 1458: Mr. SABLAN and Mr. BAIRD.
H. Res. 1485: Mr. BACHUS, Mr. GOHMERT, Mr. ADERHOLT, and Mr. HUNTER.
H. Res. 1499: Ms. SUTTON, Mr. ADERHOLT, Mr. WOLF, Mr. STUPAK, Mr. COHEN, Ms. NORTON, Mr. TEAGUE, Mr. MCMAHON, Mr. SIRES, Mr. YARMUTH, Mr. OWENS, Mr. PERLMUTTER, Ms. SCHWARTZ, Mr. MCNERNEY, Mr. BERRY, Mr. TANNER, Mr. KRATOVIL, Mr. BOREN, Mr. CARDOZA, Mr. BARROW, Mr. REHBERG, Mr. ALEXANDER, Mr. CASSIDY, Mr. BOUSTANY, Mr. DAVIS of Kentucky, Mr. WAXMAN, Mr. SKELTON, Ms. MATSUI, Mr. DEUTCH, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. KOSMAS, Mr. BOSWELL, Mr. ETHERIDGE, Mr. TONKO, Ms. SHEA-PORTER, Mr. GEORGE MILLER of California, Ms. SPEIER, Mr. MCDERMOTT, Mr. FARR, Ms. DEGETTE, Mr. KLEIN of Florida, Mr. ROONEY, Mr. CARNEY, Mr. ALTMIRE, Mr. DONNELLY of Indiana, Ms. VELÁZQUEZ, Ms. CLARKE, Mr. CARSON of Indiana, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BISHOP of Georgia, Mr. SCOTT of Georgia, Mr. LEWIS of Georgia, Mr. HARE, Mrs. LOWEY, Mr. HOLT, Mr. CUMMINGS, Ms. LINDA T. SÁNCHEZ of California, Mr. BLUMENAUER, Mr. THOMPSON of Mississippi, Mr. CLEAVER, Mr. BUTTERFIELD, and Mr. PAYNE.
H. Res. 1504: Mr. SCOTT of Virginia and Mr. TONKO.
H. Res. 1507: Mr. TURNER, Mr. CARTER, Mr. HARPER, Mr. EHLERS, Mr. KLINE of Minnesota, Mr. ANDREWS, Mr. YARMUTH, Mr. LANCE, Mr. KAGEN, Mr. GARAMENDI, Mr. MINNICK, Mrs. MCMORRIS RODGERS, Mr. SESSIONS, Mr. HALL of Texas, Mr. SAM JOHNSON of Texas, and Mr. AUSTRIA.
H. Res. 1518: Ms. WATERS, Mr. CROWLEY, Mr. GRIJALVA, Mr. RANGEL, Ms. BERKLEY, and Ms. WATSON.
H. Res. 1522: Mr. CLEAVER, Ms. ROS-LEHTINEN, Mr. MCGOVERN, Mr. WOLF, Mr. ADERHOLT, Mr. CHAFFETZ, and Mr. WESTMORELAND.
H. Res. 1523: Mr. AL GREEN of Texas and Mr. SMITH of Nebraska.
H. Res. 1525: Mr. CONYERS, Mr. TURNER, Ms. GIFFORDS, Mr. MEEKS of New York, Mr. ETHERIDGE, Mr. COURTNEY, Mr. WOLF, Mr. LANGEVIN, Mr. LATOURETTE, Mr. HONDA, Mr. COLE, Mr. CALVERT, Mr. ALEXANDER, Mr. CARTER, Mr. REHBERG, Mr. CRENSHAW, Ms. ROYBAL-ALLARD, Mr. FARR, Mr. BOYD, Ms. MCCOLLUM, Mr. ISRAEL, Mr. RYAN of Ohio, Mr. RUPPERSBERGER, Mr. CHANDLER, Mr. SALAZAR, Mr. DAVIS of Tennessee, Mr. JACKSON of Illinois, Mr. BISHOP of Georgia, Ms. LEE of California, Mr. CULBERSON, Mr. SIMPSON, Ms. GRANGER, Mrs. EMERSON, Mr. FRELINGHUYSEN, Mrs. LOWEY, Mr. SERRANO, Ms. DELAURO, Mr. MORAN of Virginia, Mr. PASTOR of Arizona, Mr. PRICE of North Carolina, Ms. WASSERMAN SCHULTZ, Mr. RODRIGUEZ, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. HINCHEY, Mr. EDWARDS of Texas, Mr. MOLLOHAN, Mr. DICKS, Mr. LEWIS of California, Mr. LATHAM, Mr. GOODLATTE, Mr. SPRATT, Mr. ROGERS of Michigan, Mr. BILBRAY, Mr. BUCHANAN, Mr. BARRETT of South Carolina, Ms. BORDALLO, Mr. PENCE, Mr. BURTON of Indiana, Mr. FRANKS of Arizona, Mr. CAMPBELL, Mr. CASSIDY, Mr. POSEY, Mr. MANZULLO, Mrs. LUMMIS, Mr. DANIEL E. LUNGREN of California, Mrs. BLACKBURN, Ms. RICHARDSON, Mr. ROONEY, Ms. CASTOR of Florida, Mr. PITTS, Mr. MCGOVERN, Mr. BROWN of South Carolina, and Mr. GUTHRIE.
H. Res. 1527: Mr. FRANKS of Arizona, Mr. BRADY of Texas, Mr. DREIER, Mr. JORDAN of Ohio, Mr. BROUN of Georgia, Mr. GUTHRIE, Mr. GONZALEZ, Mr. LAMBORN, Mr. SCOTT of Georgia, and Mr. TONKO.
H. Res. 1528: Mr. FARR and Ms. MOORE of Wisconsin.
H. Res. 1529: Ms. VELÁZQUEZ, Ms. CASTOR of Florida, Mr. QUIGLEY Mr. ARCURI, Mrs. MALONEY, Ms. MOORE of Wisconsin, and Mr. JOHNSON of Illinois.
H. Res. 1541: Mr. CAO, Ms. DELAURO, Mr. CAPUANO, and Mr. PETERS.
H. Res. 1546: Mr. LEE of New York and Mr. HALL of Texas.
H. Res. 1547: Mr. RANGEL.
H. Res. 1548: Mr. SABLAN.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 5720: Ms. HIRONO.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petition:

Petition 11 by Mr. KING of Iowa on H.R. 4972: Frank A. LoBiondo, Sam Johnson, Paul Ryan, John L. Mica, Michael R. Turner, Aaron Schock, Cliff Stearns, Devin Nunes, David Dreier, Christopher John Lee, Kevin McCarthy, Bill Shuster, Leonard Lance, Howard P. ''Buck'' McKeon, Ander Crenshaw, Elton Gallegly, Rodney P. Frelinghuysen, Ed Whitfield, Walter B. Jones, and Vernon J. Ehlers.

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PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

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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 Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, whose approval we seek above the hollow applause of humanity, may the deliberations of this historic Chamber start and end with You. Provide the foundation for the thoughts, words, and actions of our Senators, as they remember that You are the author and finisher of their faith. Make our lawmakers conscious of the great tradition on which they stand, as You fill them with the spirit of wisdom, understanding, knowledge, and reverence. May the tyranny of partisanship and expediency never bend their consciences to low aims which betray high principles.

We pray in Your great Name. 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. INOUYE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 22, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUYE,
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.

SCHEDULE

Mr. REID. Madam President, following leader remarks, if any, the Senate will proceed to S. Res. 591, which is a resolution recognizing and honoring the 20th anniversary of the enactment of the Americans with Disabilities Act. There will be 2 hours for debate. It will be divided equally between Senators HARKIN and ENZI or their designees. Upon the use or yielding back of that time, the Senate will proceed to the consideration of H.J. Res. 83, which is a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act. There will then be up to 20 minutes for debate equally divided between Senators BAUCUS and MCCONNELL or their designees.

Upon the use or yielding back of that time, the Senate will proceed to vote on the resolutions. The first vote will be on the Burma joint resolution, and the next vote will be on the Americans with disabilities resolution. We hope these votes will begin at around 12 o'clock today, maybe a little sooner.

Following the votes, the Senate will resume consideration of the small business jobs bill. As a reminder, last night I filed three cloture motions relative to the small business jobs bill. I hope we can reach an agreement to have these votes today. If no agreement is reached, we would have the first cloture vote tomorrow morning.

Senators will be notified when any additional votes, other than those I have mentioned, will be brought up.

MEASURE PLACED ON THE CALENDAR—S. 3628

Mr. REID. Madam President, S. 3628 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the title of the bill for the second time.

The assistant legislative clerk read as follows:

A bill (S. 3628) to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

Mr. REID. Madam President, I object to any further proceeding with respect to this bill.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

Mr. REID. Madam President, will the Chair now announce the business for the day.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

20TH ANNIVERSARY OF ENACTMENT OF THE AMERICANS WITH DISABILITIES ACT OF 1990

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to the consideration of S. Res. 591, which the clerk will report.

The assistant legislative clerk read as follows:

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

A resolution (S. Res. 591) recognizing and honoring the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 2 hours of debate, with the time equally divided and controlled between the Senator from Iowa, Mr. HARKIN, and the Senator from Wyoming, Mr. ENZI, or their designees.

Mr. REID. Madam President, I suggest the absence of a quorum and ask unanimous consent that the time be equally charged against both sides.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

SMALL BUSINESS LENDING FUND ACT

Mr. MCCONNELL. Madam President, Republicans today will continue to look for a way forward on the small business bill. This is an opportunity to deliver some real relief to small businesses struggling to dig themselves out of the recession.

Ultimately, Democrats seem to have other priorities. In the middle of a debt crisis, Democrats cannot seem to pass trillion-dollar spending bills fast enough. In the middle of a jobs crisis, they continue to push one bill after another containing job-stifling taxes, new rules and regulations, and government intrusion into business.

Their signature piece of jobs legislation appears to be a bill that borrows $34 billion from our grandchildren to help folks who cannot find a job in the environment Democrats have created over the last year and a half.

This small business bill gives us an opportunity to have a real jobs debate. But Democrats clearly do not want to have that debate. That is why they have repeatedly pulled this bill from the floor to move on to what they consider more important things or to get together downtown to pat themselves on the back after signing another job-killing bill.

Let's have a real debate about jobs. Let's consider amendments that would help small businesses—amendments like the one Senator JOHANNS wants to offer to eliminate a burdensome paperwork mandate and that small businesses are pleading with us to approve.

Our leader on the Small Business Committee, Senator SNOWE, is fighting to keep a provision out of this bill that amounts to another bailout. Members of both sides oppose it.

There is no evidence this new lending program will work. Even the Congressional Oversight Panel has expressed skepticism it will even be effective in increasing small business lending. The panel's report is skeptical it will improve access to credit. Moreover, the panel says this provision looks uncomfortably similar to the TARP bailout.

The problem banks and small businesses are facing is not that they don't have incentive to lend; it is that the government is threatening them with a 2,300-page bill full of new rules and regulations while their customers—small businesses—are threatened by pending tax hikes and more government intrusion.

For more than a year and a half, the President and his Democratic allies on Capitol Hill have pushed an antibusiness, antijobs agenda on the American people in the form of one massive government intrusion after another. Then there is a celebration. Here is an opportunity to have a real debate about job creation. Here is an opportunity to do something that might actually make a positive difference.

Small business owners are already being hammered by the health care bill. They are about to get hammered by the financial regulatory bill. It is time to do something they actually want for a change.

The American people are connecting the dots. They don't think the financial regulatory bill will solve the problems in the financial sector any more than they think the health care bill will be able to lower costs or lead to better care; any more than the stimulus lowered unemployment.

Republicans had offered amendments that would create the conditions for real private sector job growth. If Democrats shared this priority, this bill would have been law by now. Instead, they seem committed to the same approach that has led to 3 million lost jobs in the past year and a half.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Madam President, I have come to the floor today—and we have a couple hours now—to introduce a Senate resolution which is now at the desk recognizing and celebrating the 20th anniversary of the Americans With Disabilities Act. Twenty years ago, the ADA was a great bipartisan legislative initiative. I am pleased this resolution also enjoys broad bipartisan support. I am grateful to all those who have cosponsored this resolution, including my chief cosponsor, Senator HATCH, and 31 other Senators.

Other Senators who are watching and would like to be added as cosponsors, I ask them to please call their respective cloakrooms and we will add their names to the list. Right now, I think we are at 22 or 23.

The Americans With Disabilities Act—signed into law on January 26, 1990—has been described as the Emancipation Proclamation for people with disabilities. The ADA set four goals for people with disabilities: Equal opportunity, full participation, independent living, and economic self-sufficiency. But as the chief Senate sponsor of the ADA, I can tell my colleagues that at its heart, the ADA is very simple. In the words of one disability rights advocate, this landmark law is about securing for people with disabilities the most fundamental of rights: ''The right to live in the world.'' It is about ensuring that people with disabilities can go places and do things that other Americans take for granted.

I will always remember a young woman by the name of Danette Crawford from Des Moines, IA. In 1990, she was just 14 years old. She used a wheelchair. She lived with constant great pain, but she worked and campaigned hard for passage of the Americans With Disabilities Act. When I told her the ADA would mean better educational opportunities, prevent discrimination in the workplace, better mobility—I was going through all these things the ADA would do—Danette said to me:

> Those things are very important. But, you know, what I really want to do is just be able to go out and buy a pair of shoes like anybody else.

Well, two decades later, people with disabilities can do that and so much more.

Our society is so dynamic and changes so rapidly that we are often oblivious to quiet revolutions taking place in our midst. One such revolution has been unfolding for the last 20 years since the signing of the Americans With Disabilities Act. How soon we forget that, prior to ADA, Americans with disabilities routinely faced prejudice, discrimination, and exclusion, not to mention the physical barriers to movement and access in their everyday lives. In hearings prior to passing the law in 1990, we heard heartbreaking testimony about the obstacles and the discrimination that people with disabilities encountered every day of their lives. We heard stories of Americans who had to crawl on their hands and knees to go up a flight of stairs or to gain access to their local swimming pool, who couldn't ride on a bus because there was no lift, who couldn't go to a concert or a ball game with their families because there was no accessible seating, who couldn't even cross the street in a wheelchair because there were no curb cuts. In short, we heard thousands of stories about people who were denied ''the right to live in the world.''

The reach and the triumph of the ADA revolution is all around us. It has become a part of America. Today, streets, buildings—think about this—every building designed and built in America since the passage of the ADA is fully accessible—every building. Sports arenas. I just went to a sports arena the other day for a ball game and everything is accessible. There is seating for people, where they can sit with their families—not segregated out someplace, but they can sit with their

families. The same is true in movie theaters. Transportation systems: Every bus delivered in America today is fully accessible. It has a lift—every single bus. All our Metro systems today are fully accessible. But that is not all. Information is offered in alternative formats so it is usable by individuals with visual or hearing impairments. New communications and information technologies that are accessible to people with disabilities continue to be developed. It is hard to imagine we lived in a time without closed captioning on television. Think about it. I will talk more about my brother Frank, who is deaf and who never could understand what was on TV until we got closed captioning. That is what I mean. New technologies, new ways of doing things are now making life so much better. Thanks to the employment provisions in the ADA, many individuals with disabilities can get reasonable accommodations so they can do a job, they can get assistive technology, accessible work environments or more flexible work schedules.

But the ADA is more than accessible buildings and books that speak and traffic lights that talk to you. It is also hundreds of stories of opportunities and hope.

These changes are all around us. They are so integrated into our daily lives that sometimes it is hard to remember how the world was before.

Just as important, we have seen a big change in attitudes—attitudes—toward people with disabilities. Our expectation is we will do what it takes to give individuals with disabilities not just physical access but equal opportunity in our schools, in our workplaces, and in all areas of our economy and our society. The attitudes are so different today. A lot of it has to do also with the Individuals With Disabilities Education Act which preceded the ADA because now kids go to school with kids with disabilities. Kids grow up with kids with disabilities, so it is no big deal if they work alongside them later on. So the whole attitude has changed on how we deal in our society with people with disabilities. Perhaps that may be one of the biggest changes of all.

It is important for us to remember also—with all the political firefights that go on around here and the partisan bickering that goes on around here all the time that we bemoan—it is important to remember the passage of the ADA was a bipartisan effort and a bipartisan victory. Here in the Senate, I worked shoulder to shoulder with Senator Bob Dole and others from both sides of the aisle. We had invaluable assistance from Senator Kennedy, Senator HATCH, who will be speaking shortly, Senator MCCAIN, and others, including leaders who are no longer in this body, people such as Dave Durenberger and Lowell Weicker. The final Senate vote on the ADA conference report was 91 yeas and only 6 nays.

I just mentioned Senators HATCH and MCCAIN. I also wish, at this point, to mention the other Senators currently serving who voted for the ADA conference report on July 13 of 1990. They are Senators AKAKA, BAUCUS, BINGAMAN, COCHRAN, CONRAD, DODD, GRASSLEY, INOUYE, KERRY, KOHL, LAUTENBERG, LEAHY, LEVIN, LIEBERMAN, LUGAR, MCCONNELL, MIKULSKI, SPECTER, and REID. That is truly, I believe, a roll of honor.

As I said, one of those who helped manage the bill when we put it through back in 1990 and who has always been there helping to make sure we did this in a bipartisan fashion, get the bill through, and get it signed is Senator ORRIN HATCH. Later, we worked together on the ADA Act amendments that we just passed 3 years ago and that President Bush signed just 3 years ago. I couldn't ask for a better friend personally, but people with disabilities couldn't ask for a better friend either than the distinguished Senator from Utah, Mr. ORRIN HATCH.

I yield the floor at this time to Senator HATCH.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. HATCH. Madam President, I thank my dear colleague for his kind remarks. I remember those days we spent on this floor, and the days before that, when we had to convince people throughout the Congress that this was the right thing to do; that civil rights for persons with disabilities were absolutely necessary if we were going to be a gracious and understanding country, setting an example for all the rest of the world.

I remember when Senator HARKIN and I, after the vote, walked out into the anteroom out there, and there were hundreds of persons with disabilities in their wheelchairs and crutches, with various forms of disability, and both of us stood there and broke down and cried—two tough guys. You know that Senator HARKIN was a pilot and went through the war and has a tremendous reputation. I have been tough—too tough for some people around here—from time to time. But we both broke down and cried. And they cried. It was such a wonderful day, as far as I am concerned.

I thank my dear colleague from Iowa for his leadership in this matter. He mentioned all of the others we both want to recognize today. I will not repeat those. I will incorporate that in my remarks today.

This is a very special anniversary. Twenty years ago last week, we stood on the floor of the Senate and voted 91 to 6 to pass the Americans with Disabilities Act. Twenty years ago next Monday, President George H.W. Bush signed it into law.

The ADA is landmark civil rights legislation that represents our ongoing commitment to equality and opportunity for our fellow citizens who suffer with disabilities. The ADA is a special type of civil rights statute. On the negative side, it prohibits discrimination and provides for remedies when wrongs occur. But more important, on the positive side, the ADA requires reasonable accommodation for individuals with disabilities in the areas covered by the statute, such as employment. This accommodation obligation is what quite literally opens doors and keeps them open, improving lives in innumerable practical ways on a daily basis.

The original ADA in 1990 and the revision enacted 2 years ago are examples of both how hard legislating can be and the results sticking with it can produce. I know of few policy areas in which—on the surface, at least—political or ideological interests appear to be more at odds. I also know of few policy areas in which the objectives are more important and for which a deep and broad consensus is more crucial to achieve those objectives. Keeping our eyes on the goal helped keep everybody willing to listen, to compromise, and to do what had never been done before. The result has been a transformation in attitudes, perceptions, and actions throughout our society that have helped make countless lives better.

These two statutes, ADA and the ADA Amendments Act, also demonstrate that it is Congress that is responsible for national disability policy. Lawsuits, of course, bring the courts into the picture, and the Supreme Court was called upon to construe and apply the ADA on some questions the ADA itself did not clearly or directly address. I, for one, believe the courts must take statutes as they are and may not make or change them in order to achieve certain results. But whether or not the Court did its part properly, the Constitution gives the power to legislate to Congress. That is why, even if the Court had not had any such cases at all, we have the authority and the ongoing responsibility to establish, revise, and refine laws that help Americans with disabilities. That responsibility will never end.

I am pleased with my role in developing and passing both the ADA and the ADA Amendments Act. I am pleased to have been able to partner with my friend Senator HARKIN from Iowa. I am proud to stand here today with that friend, Senator HARKIN, without whom these statutes would not have been possible. I know these are more than simply statutes, more than pieces of legislation; it is what they represent—our ongoing commitment to making sure individuals with disabilities can participate in the American dream—that makes these statutes so important and this anniversary so very special.

I have seen those who are blind now taken care of, in many cases. I have seen those with various disabilities who are able to get jobs and show they are capable—not only capable but better than capable—of doing some things people never thought they could do. I have seen persons with serious disabilities who have become productive members of our society because they

have been given a chance. I have seen persons of courage in this area that I have never seen before, who literally live with their disabilities every day with smiles on their face, with an ability to be able to encourage others, and with an exemplary approach to life that makes all of us better people. I think these things have been magnified and blessed by these two acts that my colleague and I and others have been able to put through. I am proud of what we have done. I believe millions of people are better off because of what we have done.

This is a very appropriate thing to do—to recognize the Americans with Disabilities Act, and the other statute as well, so that everybody in this country realizes they are part of making these statutes work. I am so pleased with all of our American citizens who have pitched in and done what they could, from architects, to engineers, to skilled tradesmen, as I used to be, who have really made it possible for people to not only embrace life but to be a part of life and to be able to have the accessibility they never had before, and we are a better nation for it. Our people are better for it. Above all, these folks who have suffered with disabilities, who are so courageous, are better for it.

I will never forget, I mentioned when we passed the original ADA that I carried my brother-in-law, who was afflicted with both types of polio and, of course, lived in an iron lung but went on to get his college degree in engineering and a master's degree in electrical engineering—he worked for Edgerton, Germeshausen, and Grier in Las Vegas, went to work every day and at night got into an iron lung at home. He was a member of my Mormon faith, the Church of Jesus Christ of Latter-Day Saints, and I can remember carrying him, with his very light weight, through the Los Angeles Temple for church. It was meaningful to both him and me. I carried him in my arms all the way through that temple. It was a spiritual experience for both of us.

I have seen so many others who have suffered from disabilities whose lives have been improved and are better because of what has been done in the Congress of the United States. Again, I pay tribute to my friend Senator HARKIN. He understands this as well as anybody and has played a significant and perfect role in helping to bring these things to pass. I have nothing but respect and great love for my colleague and for the others who voted for this particular bill. I am glad to be able to support this resolution, to cosponsor it, and I hope and pray that all of us will continue to help those who may not be as fortunate as are we, who suffer from disabilities, and realize that they are just as productive in our society, in most ways, as we are.

I am grateful to be able to stand here today and make these comments.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa is recognized.

Mr. HARKIN. Madam President, let me say to my friend, I was proud to stand with the Senator from Utah 20 years ago. We stood here together. We got the bill through. I remember so vividly, in my mind's eye, when we walked out to that anteroom. I mean, few people are blessed in their lifetimes to have that kind of a moment where something so meaningful was done and to see so many people whose lives before that were stunted because they didn't have the accessibility. Now to see this sort of wall come tumbling down—I remember our association so well.

I know my friend would agree this was not a slam dunk; it was not a very easy thing that we brought out on one day and it just happened. Senator HATCH and I worked on this for years. It took a long time to work out. But through the good faith of people on all sides with whom we worked—the disability rights community, all the different disability groups, and the chamber of commerce supported the bill—in the end, we worked together to bring everybody together. But it was a long process, as the Senator remembers.

Mr. HATCH. It was.

Mr. HARKIN. I say to my friend from Utah, I cherish those memories. I was honored to stand with him 20 years ago. I am honored to stand with him again today. I cherish the friendship we have developed over all those years. The Senator from Utah is a true friend, not only personally but also professionally, and he has always lent his weight and his seniority and his expertise in the Senate to making sure people with disabilities have that same equal opportunity and equal access. I think maybe both of us, because of our brothers who were disabled, were affected greatly. I think it imbued us both with a spirit of working hard to make sure people with disabilities had all the access and all the opportunities everybody else enjoyed. I thank my friend for his statement, and, more than that, I thank him for his great support of people with disabilities through all of his lifetime.

Mr. HATCH. Madam President, I thank the Senator for his kind remarks, but I also recognize his great leadership. This is a complex set of issues. We had complexities among the groups. We had to bring them all together and work with them. We had to try to resolve conflicts between liberals and conservatives, as usual. We also had to work very carefully with various personalities. But we were able to get it done. In large measure, it was due to the work of my friend from Iowa. I think people in the disability community and really throughout the country ought to be very grateful for what he has done. I am grateful to have been able to have played a small role in helping him to do it.

Mr. HARKIN. Madam President, it was not a small role; the Senator from Utah played a gigantic role in making sure we got this done. Working to get the ADA Amendments Act passed 3 years ago—we worked on that for something like 4 years to get it done. We were down at the White House, and it is interesting that the first President Bush signed the first ADA into law and the second President Bush signed the ADA Amendments Act into law. That is an interesting juxtaposition—father and son.

I thank the Senator.

Mr. HATCH. I thank the Senator.

Mr. HARKIN. Madam President, I mentioned earlier all of the Members of the Senate who have been so helpful.

On the House side, we prevailed because of outstanding leadership of people such as Congressmen STENY HOYER, Tony Coelho, and Steve Bartlett, a Republican leader in the House at that time. The final vote was 377 to 27 in the House.

At the White House, Boyden Grey, counsel to President George H.W. Bush, worked with us every step of the way. As I have said so many times, without Boyden Grey being there, we could not have gotten this done. I am always grateful to him for his leadership, working from the White House with us.

One other person who was with us every step of the way and continues to provide so much leadership in the area of disability rights is then-Attorney General Dick Thornburgh.

What a champion he was and is. I should not put it in the past tense. Dick Thornburgh remains today one of the preeminent people in America who keeps focus on what we are doing in society to make sure that people with disabilities have full access and opportunity.

Then there is the disability rights community. This would not have happened without the tireless, courageous, and unstoppable work of so many activists in the disability community. I think of people such as Ed Roberts, now passed on, Bob Williams, Pat Wright, Wade Blank—so many others. Of course, everyone recognizes the indispensable leadership of the late Justin Dart who was the chairperson of the President's Committee on Employment of People with Disabilities. Only one person's name is specifically mentioned in the resolution on which we will be voting this morning, and that name is Justin Dart.

As I have said many times, I may have been the principal author of the ADA, but Justin Dart was the father of the ADA and history will recognize and honor his great contribution.

Here was an individual who used a wheelchair most of his life, who was unstoppable. Justin Dart traveled to every single State in this Nation more than once, well over 100 different cities and communities, to promote the Americans with Disabilities Act for about 2 or 3 years prior to us bringing it up, to get that kind of national support for it. He was everywhere, and he would never give up. We remember Justin Dart as the father of the ADA.

No listing of those who made the ADA possible would be complete without also talking about my disability counsel at the time, Bobby Silverstein. Again, he was tireless in his work in both the drafting and the revising. As Senator HATCH and I were reminiscing, there was not even agreement among disability groups on how to do this. We would come up with a draft. We would meet with disability groups. We would have to revise it. We would meet with other disability groups. We would have to revise it. We would meet with business groups. We would have to revise it, and on and on.

Slowly, methodically, tirelessly, we got it done, and Bobby Silverstein was there every step of the way, as I said, drafting, revising, making sure we did not lose sight of the goals, making sure we had a bill that could muster bipartisan support. No words of mine can express the deep gratitude I have to Bobby Silverstein for all he did to make this possible.

I will never forget the pre-ADA America. I remember how it used to be perfectly acceptable to treat people with disabilities as second-class citizens, exclude them and marginalize them.

I will digress a bit and talk about my brother Frank, who was the inspiration for all of my work on disabilities both in the House before I came to the Senate and in the Senate.

My brother Frank passed away 10 years ago, a month before the 10th anniversary of the ADA. He always said he was sorry the ADA was not there for him, but he was glad it is here now for the younger generation, for those who are now coming so they would have a better future.

My brother lost his hearing at a very early age. Actually, he was about 6 years old. At that time, there were no mainstream schools, so he was taken from his family. We lived in a small town. He was taken from the family and shipped halfway across the State to the Iowa School for the Deaf.

Think about how traumatic this would be. First of all, you lose your hearing. You cannot hear anything because of spinal meningitis. Then all of a sudden he is picked up, taken away from home, and sent to a school over by Omaha. Think how traumatic that is for a little kid.

In school—and I remember people always spoke about my brother being at the school for the deaf and dumb. Young people do not realize this, but it used to be very permissible, when I was the age of the pages, for people to speak about people who were deaf as deaf and dumb. Schools for the deaf were referred to as schools for the deaf and dumb.

I will never forget my brother coming home from school once—it was later on when he was in high school—and people were referring to that. They would actually ask him: How are things going at the school for the deaf and dumb?

My brother would say: I may be deaf but I am not dumb. He refused, he stubbornly refused—he was kind of a stubborn guy, my brother was—he stubbornly refused to accept the cloak that society put on him.

In school, he was told he could be one of three things. He could be a baker, a printer's assistant, or a shoe cobbler. He said he did not want to be any of those things. They said: OK, you are going to be a baker then. So they made him into a baker. That is not what he wanted to do, but that is what they said.

He kept fighting. He kept fighting against it. I remember once when I was younger—he was now out of school—he went to a store. I will never forget this. When the sales person found out he was deaf and could not hear, she looked right through him at me and asked me what he wanted. How do I know what he wants? Ask him. That is the way people were treated.

He went to get a driver's license. He was told deaf people do not drive. He broke that barrier down, too. He got a driver's license and bought a car.

I remember when my brother finally found employment at a plant called Delavan Corporation. I got to know Mr. Delavan later on when I was in high school and later on when I was in college. He went out of his way to hire people who were disabled. It was a manufacturing facility with a lot of noise. So he hired a lot of deaf people. They did not care if it was noisy.

My brother got a good job running a very delicate machine that drilled tiny little holes in engines for jet engine nozzles. It had to be finely made. Later on, when I was a Navy pilot, I found out the planes I was flying at the time were using the very nozzles made by my brother.

I came home one time for Christmas—my brother never got married. I was not married at the time—I came home for Christmas. Delavan always had a big Christmas dinner for all of the workers. I went with my brother to the Christmas dinner. Lo and behold, unbeknownst to either one of us, they honored him that night because he had worked there 10 years and in 10 years, he had not missed one day of work or late one day. They gave him a nice gold watch. It was very nice. In the 23 years my brother worked there, he missed 3 days of work because of a blizzard. He could not make it.

I tell that story for a couple of reasons. One, because I am very proud of my brother, but also because so many people I have talked with—employers who have employed people with disabilities—will tell you that the hardest workers, the most loyal workers, the most productive workers they have are many times people with disabilities. But they have to get over the hurdle of hiring them in the first place. With a little bit of support, some accessibility issues, maybe modifying the workplace a little bit, we can get a lot done and they can be the best workers.

I have one more story about my brother I have to relate, since I have the floor, and he was such an inspiration to me.

I was elected to the Senate in 1984. I was sworn in January 1985. No one in my family had ever been in politics. First of all, to be a Congressman is one thing, but to be a Senator—wow. My whole family came for the swearing in, and my brother Frank. I remember I put him in this gallery right behind me. This was January 1985. I put him up there, and I had gotten an interpreter, a sign language interpreter. I had gotten an interpreter for my brother for this gallery right back here. I got him seated up there, and I came back down on the floor. I looked up and I saw one of my other brothers—one of my hearing brothers—motioning to me. So I went back up there.

My brother John said the guard would not let the interpreter stand up there. I went out to see the guard, the doorkeeper. I said: My brother needs an interpreter. No, we cannot allow people to stand in the gallery and interpret.

I said: It can't be so.

Rules are rules.

I came down to the floor. At that time, Senator Bob Dole was the majority leader of the Senate. Senator Dole had a disability himself because of his war wounds and his maiden speech on the Senate floor when he was first elected was about disability rights. I go to the majority leader, the Republican leader. I did not know him that well. I said: Mr. Leader, here is the situation. My brother is up there. I am being sworn in. He needs an interpreter and they will not let the interpreter in.

Senator Dole said: I will take care of it. He did, and we got the interpreter.

Now we have places for people with disabilities to come and sit with their families. We have interpreters. We have closed captioning. No longer do we discriminate against people who are deaf or disabled and want to come into the Capitol.

So many changes have been made to the Capitol. We have a full office in the Capitol now just for people with disabilities to take tours of the Capitol. We have interpreters for people who are blind. We have bas relief models of all the floors so as they go through the main Rotunda, the Old Senate Chamber, the House Chamber, the old Supreme Court, they can feel with their hands what it looks like. It is all accessible now.

I talk about the things that happened to my brother. It sounds like something out of the medieval past. We are hopefully overcoming—I do not say we are complete—we are overcoming this false dichotomy between disabled and able. We recognize that people with disabilities, like everyone, have unique aptitudes, unique abilities, talents. And we know America is a better and a fairer and richer nation when we make full use of the gifts people have.

One of the things that ADA has done is it has infused in so many people the

idea that we should look at people not for their disabilities but what are they able to do, what are their abilities. Do not tell me what your disabilities are. What are your abilities? That is a major step forward.

The day the ADA passed I can honestly say was the proudest day of my legislative career. I also say to the occupant of the Chair, I stood at this podium at that time and gave my entire speech in sign language. Senator Bob Kerrey, a Senator from Nebraska, was the occupant of the chair at the time. He has never forgotten that. I guess maybe I haven't either. It was the first time anyone ever gave a long-winded speech on the Senate floor and no one ever heard him. Perhaps a lot of people wish we would do that more often.

It was a great day. I think every Senator who was there who voted yes can look back 20 years with enormous pride in this achievement. We were present at the creation, but it had a robust life of its own. It has been integrated into the very fabric of American life. It has changed lives and changed our Nation. It has made the American dream possible for tens of millions of people who used to be trapped—trapped—in a nightmare of prejudice and exclusion.

I am reluctant in many ways to detract from the joy that we all feel about what has happened over the last 20 years and how far we have come in our country. But I am obliged to point out, because of my close association with so many people in the disability community and so many different parts of the disability community, that the promise of the Americans with Disabilities Act is not quite complete.

When we passed the ADA we had four goals: equal opportunity, independent living, full participation, economic self-sufficiency. There is more work to be done to fulfill those goals. For example, every person with a disability deserves the right to live where he or she wants to live. You might say everybody has a right to live where they want to in America. But think about what I said earlier, people in the disability community want the right to live in the world.

Here is what I am referring to. For years a person with a disability who qualifies for care in a nursing home, can get that care in a nursing home fully refunded, fully paid for by the Government. If you have a disability and you qualify for that level of care and you go to a nursing home, Medicaid picks that up. But let's say you don't want to go to a nursing home. Let's say you are disabled and you want to live in a community. You want to live near your family and your friends and you choose to do so. Medicaid doesn't pick up that bill. If you live in a nursing home, they will, but not if you live independently, on your own. This is something we have been trying to overcome for a long time.

Finally, 10 years ago, there was a Supreme Court case. It came to the Supreme Court. It was called the Olmstead case, a case out of Georgia. Listen to this. The Supreme Court held that people with disabilities have the right to live in the least restrictive environment and to make their own choice to receive their care in the community rather than in an institutional setting. In Olmstead, the Court held that the unnecessary institutionalization of individuals with disability constitutes discrimination under the ADA.

Listen to what the Court said. The Supreme Court said:

> Recognizing that unjustified institutional isolation of persons with disabilities is a form of discrimination reflects two evident judgments. First, institutional placement of persons who can handle and benefit from community settings perpetuates unwarranted assumptions that persons so isolated are incapable or unworthy of participating in community life; secondly, confinement in an institution severely diminishes the everyday life activities of individuals, including family relations, social contacts, work options, economic independence, educational advancement and cultural enrichment.

Ten years ago the Supreme Court said that. I am obliged to stand here and say, 10 years later, we have not gotten there. Ten years ago the Supreme Court said that putting people in institutions against their will when they want to live in the community is discrimination. Yet it is still going on. Under current law, Medicaid is required—required—to pay for nursing home care for a person with a disability who is financially eligible. But there is no similar obligation to pay for the same person to receive their care at home. This makes the promise of the Olmstead decision hollow for many residents of many States.

I will have more to say about this later but I see another champion who, during his career in the House and even before that in his own State of Ohio, but for all of his life and his career, has been one of our stalwarts in fighting for the rights of people with disabilities. Senator BROWN could not be harder working and more devoted to making sure that the ADA actually works and is not put on the shelf someplace.

I thank the Senator from Ohio for all of his support over all the years, for support of the ADA, the ADA Act Amendments which he was here for and helped us get through, and for all the things we do to try to make life better, more fair, and more just for people with disabilities.

I yield the floor to the Senator from Ohio.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, I thank Senator HARKIN.

Before I was in the Senate, for several years in the House I watched from afar the work Senator HARKIN did. No one, and I mean no one—we hear a lot of accolades here; not always as genuine, perhaps, as they should be, but this one absolutely is—no one has worked as hard or as effectively as Senator HARKIN has on issues affecting people with disabilities. It is personal for him, but Senator HARKIN has taken up what was a personal issue for him growing up, about his brother and now about his nephew, and the impact it has had on him and the impact it has had on America is terrific and is unmatched.

I know Senator Kennedy, about whom we still think so often, was a major driver of this and other civil rights issues. But I would say Senator HARKIN has been second to none, advocating for his brother, for his nephew, but for Iowans and Ohioans and Californians and North Dakotans—all over this country, New Yorkers—everyone, those Americans with disabilities who typically make less money or are less likely to be employed because of discrimination and because of biases that we all probably too often too much hold.

Senator HARKIN has always risen above that and challenged people to do the right thing on this civil rights issue and on so many other civil rights issues. For that I am grateful, as a protege, to Tom Harkin, as a mentor and well beyond that.

We know this coming month marks the 20th anniversary of the passage of one of our Nation's most important civil rights laws. It is always important to reiterate this is a civil rights issue. It does not always get as much attention as a civil rights issue, but it absolutely is a civil rights issue that affects the human right and civil right of all Americans, especially those people with disability. For the last 20 years the Americans With Disabilities Act has helped educate a child with cerebral palsy or multiple sclerosis. It has broken down employment barriers for all kinds of people with disabilities—those who are blind, those who are deaf—so many Americans. Places of work and recreation, from a courthouse to a ball park, because of this Americans With Disabilities Act, are more accessible to the wheelchair bound. So, too, are public accommodations and public transportation.

Those in this body who are as old or older than I can remember how different the world looked in terms of curbs, in terms of stairs, in terms of access, just physical access to all kinds of public facilities, let alone private facilities; how different things were before 1990 when the Americans With Disabilities Act was signed into law by the first President Bush.

Modern conveniences from the telephone to the Internet are not technological barriers but means, now, of social inclusiveness and economic opportunity. The ADA has increased graduation rates for Americans with disabilities, and it has increased public safety on our streets and in our hospitals. Simply put, since the ADA passed 20 years ago, more than 50 million—1 out of 6 of our 300 million citizens in this country—more than 50 million Americans in this country have had a greater opportunity to enjoy basic rights and

privileges afforded to every American. That is due in large part to Senator HARKIN's leadership on this bill.

He speaks about the lack of opportunities his deaf brother Frank had in school and in the workplace. At the same time he speaks about his nephew, a quadriplegic veteran, who used the GI Bill to go to school, used a wheelchair and accessible van to live a self-sufficient life. That is the difference when government chooses to assert its responsibility to extend equal opportunity to all its citizens. I understand Senator HARKIN's office is currently conducting a tour of 99 counties to collect the stories of Iowans who have benefited from the ADA. In many ways, these stories also honor the activists in the community, advocates in the courtroom, the physicians and nurses' aides and physical therapists and occupational therapists in hospitals, who pushed for change decades before the ADA.

The ADA was not the culmination of our work because it continues. But understand how many people worked so many years, working side by side with the Senator HARKINs of this body and others, to bring forward that legislation 20 years ago.

In my State, in Ohio, independent living centers and ability centers across the State have long provided the support services for Ohioans with disabilities that the law had failed to do. Ohio's school for the deaf was established in 1829 in a small house across from what is now the Capitol on Broad and High Streets in downtown Columbus. It provided the education the law did not require, in those days, of all education institutions. Through much of the last century, the 20th century, friends and families of Americans with disabilities were forced, day in and day out, to overcome daily obstacles because there was no law to help.

In the absence of a law remained the incessant bias and the chilling stigma that held back our Nation's progress—as it did with voting, with gender discrimination, as it did with racial discrimination. Passage of the ADA teaches us that wisdom and goodness persist in each of us, despite efforts to marginalize and discriminate by some of us.

Across Ohio on Monday—at the Statehouse in Columbus, independent living centers in Dayton and Cincinnati, and at the Great Lakes ADA Center in Cleveland—Ohioans will celebrate the importance of the ADA with friends and family.

In Toledo, the ability center will celebrate its 90th anniversary with an ADA celebration at the Toledo zoo, bringing together children and families to celebrate a ''Journey Together—Justice, Equality and Community.'' Such demonstrations celebrate how far laws protecting those with disabilities have come and how much work we still need to do.

We know that Americans with disabilities continue to face employment barriers, sometime legal, more often not, but based often on bias and prejudice and stigma and all the mix of human emotions that are not always so admirable in all of us. Americans with disabilities are twice more likely to live in poverty than their fellow citizens, with higher rates of unemployment and, don't forget, higher rates of underemployment. We know like all progress in our Nation the march for justice and equality for the disabled was not easy. Passage of civil rights, voting rights, labor rights is not ever easy. The fight for women's rights and fair pay was not easy. The passage of Medicare and Medicaid, recent health insurance reform was not easy. The fight is always worth it.

I wear in my lapel a pin depicting a canary in a birdcage. It was given to me 10 years ago at a workers Memorial Day rally celebrating those workers who had lost a limb or even their lives on the job. The canary says to me 100 years ago workers in this country who went down in our mines had no union strong enough or government that cared enough to protect them. They were on their own. That is why they took the canary down in the mine. If the canary died from toxic gas or lack of oxygen, the mine worker on his own had to get out of that mine.

We know what has happened in the hundred years since—mine safety laws, although obviously not quite good enough and not enforced often enough and effectively enough. We know what else happened: Medicare/Medicaid, civil rights, Social Security, ban on child labor, safe drinking water, clean air, seatbelts, airbags—all the kinds of things that have made our lives richer and better and longer in a way that no country on Earth before us had ever achieved.

Add the Americans With Disabilities Act to that long line of success, of a fight for justice in human rights that was not easy. Every one of those whom this canary pin represents, every one of those pieces of progress, whether it is the Food and Drug Administration, safe food, clean air, safe drinking water, Americans With Disabilities Act, civil rights, prohibition on child labor—every one of those victories came at great cost and with great effort. That is the story of the Americans With Disabilities Act. It is part of that lineage of government stepping in to extend equality and opportunity to all Americans, understanding some number of people in this body and in this country think there is not much of a role of government for a lot of things, but they need to think about that canary in the cage.

They need to think that 90 percent of this country thinks there should be strong mine safety laws, there should be strong civil rights laws, there should be strong labor laws, there should be strong pure food laws and safe drinking water and clean air and auto safety and all those things we do.

On April 4, 1864, President Lincoln signed into Federal law the authorization to confer collegiate degrees to the deaf and hard of hearing at a campus here in Washington, DC. To this day, Gallaudet University is the only liberal arts university in the world dedicated to the pursuit of access to higher education for deaf and hard-of-hearing people.

For the past year, I have had the honor to serve on the Board of Trustees at Gallaudet University. I did so at the behest of Senator HARKIN, who has reinforced for me the responsibility we all have to serving the public good. A visit to Gallaudet University is a visit to an institution that is a model for what we should be doing in this country in civil rights and rights for Americans with disabilities.

Three years before signing Gallaudet's charter, President Lincoln celebrated our Nation's 85th year of independence, in 1861, by declaring to the Congress:

> The principal aim of the US government should be—

These are Lincoln's words—

> The principal aim of the US government should be to elevate the condition of men—to lift artificial weights from all shoulders—to clear the paths of laudable pursuit for all—and to afford all, an unfettered start and a fair chance in the race of life.

As we celebrate the 20th anniversary of the ADA, let's work so each American has that unfettered start and that each American has that fair chance, just a fair chance, not a guaranteed result but a fair chance, to achieve the American dream, that our Nation be free of prejudice and bias and, instead, full of opportunity and access.

I yield the floor and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARKIN. First, let me thank the Senator from Ohio for his kind words. But more than that, more meaningfully, to thank him for all his help and support on so many broad issues that deal with working people in America and, especially now at this time, people with disabilities.

I thank him for his service on the board for Gallaudet University. It is a great institution. I would hope everybody could pay a visit to Gallaudet. It is one of the ''crown jewels'' of our government. As Senator BROWN said, it is the only place in the world where a student who is deaf can go and get a liberal arts education. Quite frankly, as the Senator knows, we do bring students from other countries over here who go to Gallaudet and then go to their home countries after graduating. I thank the Senator for his service on the board of Gallaudet University.

Before Senator BROWN spoke, I was talking a little bit about one of the

unfulfilled promises of ADA; that is, independent living, the idea that people should not be forced to go into a nursing home just to get support so they can live.

I mentioned the Olmstead decision of 10 years ago by the Supreme Court, which basically said that mandating that people have to live in a nursing home in order to get Medicaid support is discrimination under the ADA, but 10 years later it is still going on. Some States have moved ahead in this regard and have provided the wherewithal to help people with disabilities to live independently.

The problem is, most States still limit, they limit people with disabilities who can get this kind of assistance. They either do it through a waiver program or other exceptions. They include only certain particular types of disabilities, they have cost caps or they just simply limit the number of individuals who can be served. So it kind of is almost adding insult to injury. It is sort of the luck of the draw, sort of like a lottery. If you fall into a certain group, if you happen to have applied before they filled their quota, you can live in the community and get support. If you did not, you are out of luck.

So this has built up all kinds of tensions within the disabled community and among different groups of disabilities because States sometimes identify by disability who can get support in the community and who cannot.

So ever since the passage of ADA, and I can remember shortly after the passage of ADA I took to the floor and I said: Now that we have the ADA passed, the Americans with Disabilities Act, the next big hurdle is to make sure two things: People can live independently in the community, and they can get the supportive services they need in order to do that and to get employment.

So we have been trying to do that now for 16, 17 years. At first, there was a bill called MICASSA. Do not ask me what it stands for, I forgot. But it was a bill that would provide for people to be able to get the same support, whether they lived in an institution or they lived on their own in a community.

Well, we could never get that bill passed. CBO gave it all these horrendous costs. It was going to cost so much money. I always thought that was spurious; that the cost estimates were not right. Then we followed up with a bill called the Community Choice Act. Well, we did not get that. We have not gotten that done either, but we did get a couple of promises in money follows the person. In the recently passed health care bill, we saw our opportunity to do something, to help, to try to fulfill the mandate of the Supreme Court, a constitutional mandate that people should be able to live where they want to live.

So what we have now in the health care bill is we have expanded the Money Follows the Person Program; that is, the money to States to follow the person. Rather than money going to a State to go to an institution to pay for a person, why not the money go to the State to go to the person and let the person decide where he or she wants to live?

So that has been extended to 2016 in the health care bill. The other part of this, of making sure people can live independently and can have economic self-sufficiency, is personal attendant services. Again, right after the passage of the ADA, I spoke about that. I said: You can have all the wonderful accessibilities in your job, you can have transit systems and buses that will take you to your job and back or subways or whatever, and you can have the most enlightened employer that can provide accessible work spaces.

But what if you cannot even get out the door in the morning? What if you cannot even get from your bed to the door to get to work? Herein, again, I speak of my own family. My nephew Kelly was only 19, about 20 years old, when he was severely injured. He became almost a quadriplegic, severe paraplegic.

Well, he is a big strapping kid. Kelly, again, was not going to give up. So he went back to school, got his education, and then he wanted to live by himself. He did. Well, he lived at home for a while with my sister and her husband, my brother-in-law. But then he wanted to strike out on his own. So he got his own independent place to live.

Here is what happened to my nephew Kelly. Every morning he would have a nurse come in. He lived by himself. A nurse came into his house, got him out of bed, got him going in the morning, took care of certain functions, got him ready to go.

Kelly would make his own breakfast, roll his wheelchair out. He had a lift on his van. Lift it up, put him in the van. Drive to work. He became so independent he started his own small business.

Then, at night when he would come home, a lot of times he would stop, shop in a grocery store or something like that, get in his van, come home. Every evening he would have, again, a personal attendant who would come into his house and do his exercises. He was so determined to keep his muscle activity alive. So he would have a person come in, do all his exercises, put him through his routines every day, and then get him ready so he could go to bed. This happened every day.

But it enabled him to get up and get out the door and go to work, become a tax-paying, income-earning citizen. So how was he able to afford this? Were my sister and her husband wealthy? Not at all, had no money whatsoever. So how was Kelly able to afford someone to come in every day and take care of him like that and give him these personal attendant services?

He was able to afford it because he was injured in the military. He was injured while serving on an aircraft carrier. So the VA—thank God for the VA—the VA paid for this. They paid to have his home modified so he could live by himself. Now, for 30 years, the Veterans' Administration has paid for Kelly to have personal attendant services so he can go to work, earn a living, pay taxes.

But what about people who were not injured in the military? What about people who just got injured in an accident or were born with a disability who do not have the Veterans' Administration to pay for this? Well, they are out of luck. They are just out of luck.

So they may want to get a job. They can be very capable of doing a job. They can be well educated, know how to run Microsoft and Word and all that kind of stuff. They may be qualified for a job. But if they do not have some support during the day to get out the door, how are they going to get down to that bus stop to get on that accessible bus to go to a place of business that is accessible, that has an employer that has made the workplace accessible so they can have a job? Very shortsighted. Very shortsighted, to say: No, we will do all those other things, but if you cannot get out the door in the morning, tough luck, or if you need something during the day, maybe you need someone to come in during the middle of the day to help you with something you may need, whether it is eating or grooming or bathing or toilet activities or whatever it may be, maybe you need that once or twice during the day just so you can work, they do not have that.

That is our next big challenge. That is our next big challenge, to help with these everyday tasks that most people take for granted. It makes the crucial difference between whether a person can live an independent inclusive life in the community or they have to be sent to a nursing home to live in isolation.

So when people tell me this costs a lot of money, I say: Wait a second. Wait a second. Let's have this again. It costs a lot of money? What about all these people who are in nursing homes now that could be living by themselves? What about all those people who are living by themselves now, out there but are not getting any support, but they are not working. They want to work. They are capable of working. What if they go to work and become taxpayers, income earners?

That is not taken into account, you see. Only the outlay is taken into account. That is why I have always said the cost that we see of personal attendant services is skewed because we do not take into account the other side of the ledger. But we know, we know from personal experience, that people with disabilities, as I have said, can be the most productive, hardest workers in our society, if they are just given a chance.

Again, these services, these supports, allow them to fulfill the promise of the ADA, to have jobs, participate in the

community, to make their own choices, not having the State or the government or someone else tell them how they have to live.

Let people make their own choices. Let them govern their own lives. That is why the Community First Choice option that is in the health care bill is so important. So we are starting to move in that direction. We should have done it a long time ago, but we could not, but we got it in the health care bill. So beginning in October of next year, 2011, in the health care reform bill we passed, that we will have available to States, if a State selects and chooses to implement the Olmstead decision and to support people with disabilities to live in the community on their own, they will get a bump up in their Federal matching funds.

Specifically, the community first choice option in the health care bill will cover the provision of personal care services and will also help support people who live independently, personal care services so people can live independently. For the first time in the health care reform bill we passed, the community first choice option will require a State to provide all eligible individuals with personal care services rather than only serving a small proportion, maybe just certain people with certain disabilities or waiting lists or caps on costs. This bill will require a State to provide all eligible individuals with personal care services rather than serving a small slice, as now, or keeping long and slow moving waiting lists. Some people are on waiting lists for 10, 15 years before the State comes up with the money so they may live on their own and have personal care services.

The community first choice option is one that starts next year, but it will grow every year. A State that moves in that direction will get a bump up of 6 percent in their Federal matching funds. That is a big deal. A State that wants to do this says: If we do it, we will get more money for the FMAP. Without getting into details, what that means is the State will get more Federal money, if it provides for the independent living of people with disabilities in the State. We have made significant progress in increasing home and community-based options; the big step being in the health care bill as it unfolds. But we are still a long way from having a comprehensive and equitable system for providing personal care services to all Americans who are eligible for nursing home care.

Let's talk a little bit about the issue of employment, perhaps my biggest disappointment in the 20 years since ADA has been in employment. Data surveys show that right now 60 percent or more of people with disabilities who want to work and are able to work are unemployed.

We hear about all the unemployment figures all the time. We hear about 9 percent unemployment or 18 percent unemployment. Think about people in the disability community, 60 percent unemployment. This is shameful, this many years after the ADA was passed, 10 years after the Olmstead decision. There are a variety of reasons. Again, one of the biggest is lack of support services. Some employers don't provide enough reasonable accommodations. Some people are just reluctant to hire people with disabilities. That kind of subtle discrimination still goes on.

In the bill, we said employers must provide reasonable accommodations. I remember so many stories in the unfolding after we passed ADA. I remember the story of one woman who had a big skill set in terms of what was then computers, the early 1990s. She had a great skill set in that. She had answered an ad for employment, went down and interviewed. She clearly was qualified. Because the job required her to work at different stations, different desks, the employer said he couldn't do that because she used a wheelchair. She had been born with a disability. She couldn't get under the desks because of the height of the wheelchair.

The employer said: I would have to replace all these desks. That costs a lot of money. It is not a reasonable accommodation. So she went home, told her father this. Her father, who was somewhat of a reasonable carpenter, had a bright idea. He went down to the workshop and cut a bunch of wood blocks about 3 inches high. He took them to the employer and said: If you just put one of these under every leg of the desk, it would not cost very much. Then it will be accessible—simple things like that.

I remember the story of a school. The school board was very upset because they had to make the drinking fountains available. If we have kids in school with disabilities, we will have to lower all the drinking fountains or something like that. It will cost a lot of money. Someone pointed out, if they just put a wastebasket and a paper cup dispenser by the water fountain, they solve the problem—simple things like that that don't cost much money at all.

It took a while for people to start thinking about it. How do we do things in a simple, straightforward manner so that people can go to school or work and we can make reasonable accommodations?

Employers I talk to who have employees with disabilities say they are the most exemplary of workers. All they need is an opportunity and reasonable accommodations, maybe supportive services. Yet we just haven't made as much progress as I had hoped over the last 20 years. We need to do a better job of ensuring that people with disabilities have job opportunities, not just any job but one that is equal to their interests and their talents and pays accordingly. We need to ensure that persons with disabilities have access to the training and supports necessary to be successful.

So many times I have heard: I don't have a job in the disability area, for a person with a disability. A lot of people think people with disabilities have to work on disability issues. That is not it at all.

I always talk about my brother Frank. He didn't do a job that had anything to do with being disabled. But he had a talent, and he could do something else. It is time to quit looking at people and focusing on the disability. Look at people and focus on their abilities, what they are capable of doing, what their talents are, what they can do. Don't talk to me about disabilities. We can overcome that. What are their talents and abilities? That is why we need the training and support activities, so we can bring that shameful unemployment rate of 60 percent down.

The ADA is to people with disabilities what the Emancipation Proclamation was to African Americans. One of the great shames of American history is that it was more than a century after the Emancipation Proclamation that the Civil Rights Act actually made good on Lincoln's promise. That is too far and too long to wait. I can't think of a better way to celebrate the 20th anniversary of ADA than by rededicating ourselves to completing the promise of the Americans with Disabilities Act. This means giving people with disabilities not only the right to be independent or the right to have a job but the wherewithal to be independent and to hold a job.

I don't want to forget all the progress and accomplishments we have achieved over the last 20 years. It has been wonderful, monumental. To activists and advocates in the disability community who are out there in the States and here in the Nation's Capital, I salute them. I thank them for all the progress they have worked so hard to bring about through their dedication and tireless efforts. On this day, as on Monday, they can be proud of the great things they have accomplished. We all know there is much more work to be done.

When I spoke on the Senate floor 20 years ago, I did it all in sign language. I have neglected to do so today. I think since my brother passed on, I don't speak with sign language very often. I don't practice much anymore. I have forgotten many signs. But there is one final thought I have. In American sign language, there is a wonderful sign for America. I want to teach it to all these pages and everybody. It is a wonderful sign for America.

You put your fingers together like this, kind of make an A for America, and it goes around like this. That is the sign for America. Think about it. Not separated, everyone together, one family, no one is excluded. No one is here; no one is there. We are all together. We are in this circle, the circle of life. A beautiful sign for America.

That is what I think about when I think about the Americans with Disabilities Act. It brought people into the circle. It made everybody part of a family. It made our family much more complete.

That is the historic achievement we celebrate in the Senate resolution before us today. It is the historic achievement we must safeguard for generations to come. One America, one inclusive American family that respects the dignity, the value, and the civil rights of all, including Americans with disabilities.

When he signed the ADA into law, President Bush spoke with great eloquence. Just before taking up his pen, he said:

> Let the shameful wall of exclusion finally come tumbling down.

Twenty years later, that wall is indeed falling. The ADA has broken down barriers, created opportunities, transformed lives. This great law is America at its very best. So it is fitting for the Senate to commemorate its great achievement 20 years ago in passing the ADA with an overwhelmingly bipartisan vote of 91 to 6. I urge all colleagues to join with the many bipartisan cosponsors in voting for this Senate resolution.

Mr. JOHNSON. Madam President, I rise today to recognize the 20th anniversary of the enactment of the Americans with Disabilities Act. This legislation, signed into law on July 26, 1990, marked a historic affirmation of the principles of equality and inclusion upon which our country was founded. I was proud to cosponsor this legislation as a Member of the House of Representatives, and I am proud of the strides made since that time in protecting and defending the civil rights of citizens with disabilities.

When the law was enacted, many Americans believed that it was an impossible dream that all street crosswalks should be wheelchair accessible. Employers feared the prospect of having to make ''reasonable accommodation'' for their employees and customers with disabilities. Frankly, some people found it unthinkable that disabled people would be able to fully participate in our society. I am pleased to report that the past 20 years have proven them wrong.

Thanks to the ADA, disabled people across the Nation are better able to engage in their community, contribute to their workplace, and achieve their educational goals. While the ADA increased accessibility to public places and addressed physical barriers, it also changed the landscape of opportunities available to Americans of all abilities. Attitudes have shifted to recognize people for their abilities and talents, rather than their differences.

These advances have contributed to the growth of productivity in our Nation and have brought an entirely new realm of perspectives and ideas into the workplace. As millions of Americans have received fair treatment because of these laws, so has our Nation benefitted through increased growth and productivity in our workforce.

Last Congress, I was pleased to cosponsor and support the passage of the ADA Amendments Act of 2008 to ensure the intent and protections of the ADA were realized. This law extends protections from workplace discrimination to cover a broader universe of persons living with disabilities. I have supported efforts to expand home and community-based services to ensure individuals can access the necessary health and assistive services while still living in their homes. I am pleased the health reform bill included these efforts, as well as other provisions to increase long-term care choices.

And yet with all this progress, there is still work left to be done. The disabled community still faces barriers in accessing quality health care, obtaining appropriate education, finding meaningful employment opportunities, and securing financial independence. The rising price of health care has placed financial pressure on all Americans. These increased costs put additional strain on disabled working Americans when their earnings become a liability rather than an asset. Individuals should have the opportunity to contribute their time and talents without jeopardizing their health insurance benefits and challenging their incentive to work. Our policies should encourage vocational promotion, self-sufficiency, and financial independence.

Many areas of our country lack reliable and accessible transportation for individuals with a disability. As we all know, without reliable transportation it is difficult to commute to work, the local grocery store, or even the doctor's office. Other obstacles in education, telecommunication, and accessible and affordable housing prevent individuals with a disability from contributing fully to their community. As our attitudes and environments continue evolving, we must work to ensure the advances made over the last 20 years continue to move us forward.

Mr. ENZI. Madam President, I rise today to join my colleagues in marking the 20th anniversary of the enactment of the Americans with Disabilities Act. As the ranking member of the Senate Committee on Health, Education, Labor and Pensions, I am particularly proud of this legislation and the impact it has had on addressing the rights and needs of people with disabilities all across the country for the past 20 years. As we mark this great anniversary, I also want to express my great appreciation for the hard work and determined effort those with a vision of equality and justice put into seeing this bill through the legislative process. It was a courageous and heroic cause and it has made a difference in more lives than we will ever know.

Just 20 years ago this month, on July 26, 1990, President George Bush signed the Americans with Disabilities Act into law. It is without question the most important civil rights legislation that has been passed by the Congress since the Civil Rights Act of 1964. It was such a great achievement because it reflected our fundamental and growing concern for human rights by extending civil rights protections to all Americans with disabilities.

Prior to the passage of the ADA, far too many of our fellow Americans with disabilities led isolated lives, artificially separated from the mainstream of society, denied the basic opportunity to pursue the American dream. Things had to change if we were to remain true to the ideals and principles upon which our Nation was founded that are enumerated so well in the Declaration of Independence and the Constitution. By any standard, those with disabilities did not have the chance to engage in all that life has to offer including their own pursuit of happiness.

Fortunately, things are different now. Although there is still more to do we have every reason to be proud of what the ADA has been able to achieve thus far. We can see the vision of the ADA being carried out before our eyes as it enables our family members, friends, and neighbors to go about their daily lives, praying, going to school, and pursuing their goals in every area of their lives—on every level—in large part because of what the Americans with Disabilities Act has made possible.

Twenty years ago, before the passage of this legislation, our country was a much different place for those with disabilities. It was difficult, if not impossible, for them to access the resources in their communities that we all take for granted. Minor barriers most of us could easily navigate had long been major obstacles for people with disabilities. We needed to do something to make it easier to access the places we all had long enjoyed with our friends. It wouldn't take a lot—just simple accommodations like curb cuts, ramps instead of stairs, more accessible stadium features, and better equipped telecommunications devices. Just these few simple changes would have made all the difference. Unfortunately, although easily done they were all too scarce and all too often impossible to find. Then the ADA came to pass and it raised our awareness of what needed to be done and our resolve to do it.

When the ADA changed everything it meant a lot to people like Ellington Herring, a young man from Germantown, MD, who has an intellectual disability and uses a wheelchair. Thanks to the ADA and the efforts of people to get it implemented across the Nation, he has full access to all the resources of his community. Without the ADA Ellington wouldn't be able to spend the day doing what he enjoys most—going to the mall, going places with his family and friends, getting his hair cut at the local barber shop, taking in a movie, and going to church.

Twenty years ago while students with disabilities had to be included in the same school those without disabilities attended, they did not have to be placed with the others in a general education classroom. It was the ADA along with the Individuals with Disabilities Education Act, and the Elementary and Secondary Education Act

that has subsequently guaranteed them access to the general education curriculum and we are all the beneficiaries of that.

Let me introduce you to someone else—Ted Dawson of Buffalo, WY. Thanks to the ADA, he was able to graduate with a high school diploma—not a certificate of achievement—but a high school diploma. There is a difference and it meant a lot to him and his parents, teachers, school administrators, and his friends. They all had high expectations for him—and he delivered! It wasn't easy. In Wyoming you have to be proficient in at least 5 of 9 common core areas in order to graduate. Ted, who has Down's syndrome, stepped up and met the challenge because that was what was expected of him. More importantly—it was what he expected from himself. He is an important example of what can happen if people are valued and included instead of being segregated into special classrooms and regarded as less capable. Thanks to the ADA, Ted is 24 now and living and working in his community.

Twenty years ago it was not well understood that people with disabilities wanted to work and pursue a career, go to school, be a part of the activities in their communities, and be treated just like everyone else. Let me introduce you to George Garcia of Cheyenne, WY. He is a 53-year-old gentleman who works part time at a meaningful job, sits on multiple boards, volunteers with several organizations and just so happens to have an intellectual disability. Mr. Garcia, as the Governor of Wyoming calls him, knows everything about the city he calls home and the State of Wyoming. In fact, he knows just about everyone who lives in Wyoming because he has spent years traveling the roads of our State sharing his story and his message about the importance of choice, freedom and independence. Without the ADA George, and thousands of people just like him, would not have had the opportunity to hold meaningful jobs, live where they choose, and go anywhere they want to in their communities.

That was so because 20 years ago people with disabilities were destined to live in an institution—community based services and support were not an option. Now families have choices and many of them have chosen community living. That brings me to Owen Johnson. Let me share Owen's story with you. He was born with spinal muscular atrophy in January of 2008 at Primary Children's Hospital in Utah. When he was born doctors told his dad, Lenn and his mom, Gayle, that Owen's life expectancy would be a mere 2 years. Lenn and Gayle wanted to bring Owen home to Wyoming to be with his family. Unfortunately they were informed that Cokeville, WY, was ''too rural'' and they would not be able to find the services and support they would need to do so. Some doctors were even suggesting they place Owen in a nursing home in Utah. With the support of multiple State agencies and local organizations, after 6 months Owen Johnson went home to live with his parents on their rural ranch. Today he is 2½ and he and his family are thriving in their community and Owen is going strong—defying the odds of his doctors who are amazed and thrilled by his progress.

While it is true that we all have our own struggles in life to deal with, it is also true that some face more difficult challenges that they have to work to overcome just to do the things that are part of our own daily routine. Such an individual is Cindy Bentley from Milwaukee, WI. Cindy is an articulate, engaging, upbeat, and charismatic individual. She is a world traveler, and a national speaker and spokesperson for millions of people with disabilities. People have no idea about her history. Cindy was born with fetal alcohol syndrome with cocaine, alcohol, and heroin in her bloodstream, resulting in lifelong intellectual disabilities, seizures, and some motor control problems. She then received severe burns when she was placed in foster care at the age of 2½ and her foster mother set her shirt on fire. Shortly thereafter she was placed in the Southern Wisconsin Center for people with developmental disabilities. Cindy now lives independently in her own apartment in Glendale, WI. She was chosen as 1 of 12 Special Olympics Global Messengers from 2000–2002, and she is an active member of two statewide Governor-appointed councils.

Twenty years ago people with disabilities could not access public transportation and those that lived in the community couldn't go anywhere because they lacked the means to easily travel on their own. The ADA changed all that by removing the barriers that faced those with disabilities when they tried to travel. Such was the case for Richard Leslie, the founder and executive director of the Wyoming Epilepsy Association that is located in Cheyenne, WY. Richard himself has epilepsy and he does not have the ability to drive because of his disability. He has used his disability to empower himself and others by becoming an advocate for people with disabilities. The ADA has assisted him and others like him by creating public transit systems that are usable and accessible, much like the Cheyenne Transit Program. The Cheyenne Transit Program offers accessible bus rides at reasonable fares as well as curb-to-curb services which not only allows for mobility within the city but makes the opportunity for employment better as well because the service is tailored to the individual's needs.

These are just a few of the remarkable stories that can be told because of the Americans with Disabilities Act which is still making a difference throughout the United States. While no one would ever say that the lives of these people has been easy, the Americans with Disabilities Act has helped to make things easier by making the things people with disabilities do every day a somewhat smaller mountain for them to climb.

The ADA opened the world to people with disabilities by guaranteeing their independence, freedom of choice, ability to control their lives, and the opportunity to completely, fully, and equally participate in the American mainstream.

No law is perfect and some problems still arise with this one. As recently as 2008 Congress had to revisit the ADA. After negotiating together through the committee process in the Senate, we acted with overwhelming bipartisan support to pass the ADA Amendments Act, which restored ADA protections that had been complicated by judicial decisions narrowing the scope of the law.

While Congress has continued to address the issue the Capitol complex is not fully accessible yet. When I served as the chairman of the Senate Committee on Health, Education, Labor and Pensions I routinely heard from people with disabilities about inaccessible hearing and conference rooms on Capitol Hill, the use of offensive terminology by Members and staff and a lack of understanding and awareness about disability issues.

That was when I took it upon myself to write a manual to help congressional offices prepare for visitors, interns, and staff who may have accessibility needs. As elected officials it is our role to ensure that everyone who comes to visit the Nation's Capitol or our home offices, including people with accessibility needs, are included in our daily dialogue. The manual contains all disability specific resources offered by the Office of Congressional Accessibility Services, the Sergeant at Arms, the Capitol Police, the Office of Security and Emergency Preparedness, the Architect of the Capitol, and other offices in the Capitol Hill complex in an easily available and easy to read format so that if a constituent who is deaf arrives at a meeting and a sign language interpreter was not reserved the office can easily determine who to call for assistance.

Just as the Architect of the Capitol is improving signage for people who are blind, and ensuring that all restrooms are accessible by wheelchair users I am currently updating the manual to account for such changes and the addition of the Capitol Visitor Center.

Today, we recognize and celebrate the anniversary of a law that brought freedom, choice, and independence to many Americans. It is a constant reminder of who we are as a people, and what we stand for as a nation. As President Bush noted when he signed the ADA into law: ''This Act is powerful in its simplicity. It will ensure that people with disabilities are given the basic guarantees for which they have worked so long and so hard: independence, freedom of choice, control of their lives, the opportunity to blend

fully and equally into the rich mosaic of the American mainstream.'' This law makes it clear that all Americans are entitled to the right to life, liberty, and the pursuit of happiness. As we continue to make this law more responsive to the needs of those with disabilities, we will continue to ensure that the chance to live the American dream is an avenue of opportunity that is available to everyone—without exception.

Mr. KERRY. Madam President, my friend Senator TOM HARKIN has been championing the rights of Americans with disabilities his whole life. He witnessed the challenges and discriminations of people with disabilities first hand. His brother Frank lost his hearing at a very young age and he has witnessed the many ways that people with disabilities are prevented from fully participating in activities that most Americans take for granted.

Senator HARKIN has said that the 1990 signing of his bill, Americans with Disabilities Act remains one of the proudest days of his life. The vote I cast for Americans with Disabilities Act was one of my proudest days as a U.S. Senator.

This month will mark two decades since the landmark passage of the Americans with Disabilities Act, known as the ADA. This important civil rights law seeks to ensure equality rights and opportunities for the more than 54 million Americans with physical and mental disabilities.

Prior to the passage of the ADA, people with disabilities faced significantly lower employment rates, lower graduation rates, and higher rates of poverty than people without disabilities, and were too often denied the opportunity to fully participate in society due to intolerance and unfair stereotypes.

The ADA sought to eliminate the indignities and prejudice faced by individuals with disabilities on a daily basis. Before passage of this law, individuals with disabilities were prevented from attending schools, subject to discriminatory hiring practices, and were unable to enter public buildings, safely cross a street, or ride a public bus.

On July 26, 1990, the ADA was signed into law signed into law by President George H.W. Bush with the promise of fostering full and equal access to civic, economic and social life for individuals with disabilities.

Upon its passage Senator Edward M. Kennedy, who played an important role in the enactment of this legislation, said:

> The act has the potential to become one of the great civil rights laws of our generation. This legislation is a bill of rights for the disabled, and America will be a better and fairer nation because of it.

Indeed, over the last 20 years, the ADA has become one of our country's most important and treasured civil rights laws.

The ADA prohibits discrimination on the basis of disability in employment, public accommodations, commercial facilities, transportation and telecommunications, as well as federal, state and local government programs.

It has been a critical part of our efforts to fulfill the Nation's goals of equality of opportunity, independent living, economic self-sufficiency, and full participation for Americans with disabilities.

It has played an historic role in allowing over 50 million Americans with disabilities to participate more fully in national life by removing barriers to employment, transportation, public services, telecommunications, and public accommodations.

Specifically, it prohibits employers from discriminating against qualified individuals with disabilities and it requires that State and local governmental entities accommodate qualified individuals with disabilities. Because of the ADA, places of public accommodation must take reasonable steps to make their goods and services accessible to individuals with disabilities. And new trains and buses must be accessible to individuals with disabilities.

All Americans, not just those with disabilities, benefit from the accommodations that have become commonplace since the passage of the Americans with Disabilities Act like curb cuts at street intersections, ramps for access to buildings, greater access to public transportation, stadiums, telecommunications, voting machines, and Web sites benefit all Americans.

The ADA has been one of the most significant and effective civil rights laws passed by Congress. We have come a long way in the 20 years since enactment with of the ADA, but children and adults with disabilities continue to experience barriers that interfere with their full participation in mainstream American life.

People with disabilities are still twice as likely to live in poverty as their fellow citizens and continue to experience high rates of unemployment and underemployment. And many people with disabilities still live in segregated institutional settings because of a lack of support services that would allow them to live in the community.

While technology and the Internet have broken down barriers, new technologies are still not accessible to all Americans. I have cosponsored the Equal Access to 21st Century Communications Act by Senator MARK PRYOR to improve internet technology access for the blind and deaf communities. If passed, this legislation would make it easier for deaf and hard of hearing Americans to access the same technologies that hearing people take for granted. In particular, it would require all devices to be capable of captioning video and it would require all Internet videos to be captioned. No one should be or has to be excluded from modern communications and the new economy because of a disability.

For all these reasons, I urge my colleagues to join me in supporting Senator HARKIN's Senate resolution that recognizes and honors the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990. This resolution not only honors passage of the ADA, it also pledges to continue to work on a bipartisan basis to identify and address the remaining barriers that undermine the Nation's goals of equality of opportunity, independent living, economic self-sufficiency, and full participation for Americans with disabilities.

Mrs. FEINSTEIN. Madam President, I am proud to be an original cosponsor of Senate Resolution 591 recognizing and honoring the 20th anniversary of the Americans with Disabilities Act.

In 1990, congressional members from both sides of the aisle joined together to denounce disability-based discrimination and demand equal rights for the disabled through the Americans with Disabilities Act. In the 20 years since, this landmark law has stood as a proud marker of our Nation's collective belief that disabled Americans can and should be full participants in our Nation's civic, economic, and social life. That, as one national disability organization proclaims, ''It's ability, not disability that counts.''

The Americans with Disabilities Act has had profound effects on the lives of over 50 million disabled Americans from curb cuts to elevators, Braille displays to voice recognition technology, and voting assistance to expanded employment opportunities, to name just a few examples.

Because of the Americans with Disabilities Act, Americans who are deaf or hard of hearing are now guaranteed the same services that law enforcement provides to anyone else. Law enforcement agencies may not exclude hearing impaired Americans from their services and must make efforts to ensure that their personnel communicate effectively with people whose disability affects their hearing.

Thanks to this landmark law, buses are now equipped with reliable lifts for wheelchair access; drivers announce stops to inform the seeing-impaired of arrival; and paratransit services provide door-to-destination transportation. This increased mobility enables disabled Americans to hold jobs and pursue educational opportunities, to perform day-to-day errands independently, and to access medical and social services.

As one San Francisco resident said, ''We no longer have to rely on the kindness of strangers to shop for us or feel that we can only experience other cities through films, videos and books.''

The Americans with Disabilities Act has enabled disabled Americans to visit and enjoy the grounds of our Nation's cultural and historical treasures such as Mount Vernon, the home of George Washington.

This important law has also improved the quality of life for Americans with impaired sight, by requiring

stores and businesses across the country to accommodate the service animals that guide and assist them. And progress is being made to ensure that the Web sites and online stores that make up the world of e-commerce are accessible as well.

Let me offer yet another example: a veteran fireman like Dennis Bell does not have to quit his job when he loses his leg during a rescue attempt, because of the Americans with Disabilities Act. Instead, his employer must provide him with the opportunity to be reassigned. In Mr. Bell's case, he has been given an opportunity to work in a new division instructing children about fire safety.

And because of the Americans with Disabilities Act, a gifted man like Chris Lenart, who is unable to talk or walk, can pursue a successful career as a computer programmer and remain economically self-sufficient. Employers can no longer deny a job to a qualified applicant because of a disability.

At least 12 percent of Americans live with a disability, but each and every one of us benefits from the skills and talents of disabled Americans who can now contribute to our country's workforce and public life, and whose abilities are not lost for want of an opportunity to demonstrate them.

I believe that our country has become a stronger and fairer place over the past 20 years because of the Americans with Disabilities Act. As the 20th anniversary approaches, I am proud to reflect with my colleagues on the progress that has been made as a result of this law, as well as to acknowledge that there is more work still to be done.

Mr. DURBIN. Madam President, next Monday marks the 20th anniversary of the enactment of the Americans with Disabilities Act. The ADA is one of America's great civil rights achievements. In its scope and intentions, it ranks alongside major victories for equal justice, like the 15th and 19th amendments, the Civil Rights Act and the Voting Rights Act.

I would like to recognize and congratulate my friend and colleague TOM HARKIN for his instrumental role in authoring this legislation 20 years ago. He has been a steadfast advocate for people with disabilities, and with his leadership last Congress we passed the ADA Amendments Act of 2008 to restore the full promise of the ADA after it been distorted and diluted by a series of bad Federal court decisions.

I am deeply proud to have voted for the ADA in 1990 because this law produced changes in society—removing physical barriers, prohibiting discrimination, and changing attitudes—that we might take for granted today.

Before passage of this law, people with disabilities were too often denied the opportunity to fully participate in society. Back then, if you needed a haircut, if you had to see a doctor, if you just wanted to meet a friend for a cup of coffee, you probably had to rely on family, friends, or a social service agency. Very few transit systems in this country had buses or trains that were accessible to people using wheelchairs.

We passed the ADA to fulfill the Nation's goals of equality of opportunity, independent living, economic self sufficiency, and full participation for Americans with disabilities. Twenty years later, it is clear that this pioneering law is fulfilling its promise in many ways.

You can see it right outside on the sidewalk with curb cuts, ramps, Braille signs, and assistive listening devices. The physical changes the ADA has brought about benefit all Americans, not just those with disabilities. We have seen progress in public transportation and public accommodations. Because of the ADA and IDEA together, thousands of Americans with disabilities have gone to good schools, received good educations, and entered the workforce.

The Americans with Disabilities Act does not grant people with disabilities any special status or position. To the contrary, it simply removes certain barriers that for too long had made it difficult—if not impossible for people with disabilities to make the most of their God-given skills and abilities, and to participate fully in their communities and in the workplace.

Despite the important changes made by the ADA, we still have work to do to ensure that people with disabilities achieve the full promise of the law. Twenty years after enactment, people with disabilities still experience barriers that interfere with their full participation in mainstream American life.

The promise of equal employment opportunity for people with disabilities remains largely unfulfilled.

More than 60 percent of working-age Americans with disabilities are unemployed. Americans with disabilities who do work tend to be concentrated in lower paying jobs. As a result, individuals with disabilities are three times as likely to live in poverty as individuals without disabilities. That has to change. Most people with disabilities want to work, and have to work.

Many people with disabilities continue to live in segregated institutional settings because the support services they need to live in the community don't exist or aren't affordable. And many public and private buildings still aren't accessible to people with disabilities.

It is important to take the time today to recognize the barriers we have eliminated for people with disabilities, and recognize that we still have work to do. We need to continue tearing down the subtler barriers that prevent far too many people with disabilities from participating fully in our economy, not just because it is the right thing to do, but because it is the smart thing to do.

When President George H. W. Bush signed the ADA in 1990, people on both sides of the aisle cheered and the President proclaimed: ''With today's signing of the landmark ADA, every man, woman and child with a disability can now pass through once-closed doors into a bright new era of equality, independence and freedom.''

That remains our vision, and I look forward to working with my colleagues to widen that door even further so more Americans can pass through.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARKIN. Madam President, we are rapidly approaching the time when we will yield the floor to a different resolution, and I guess the vote will be held at around noon on the resolution commemorating the 20th anniversary of the Americans with Disabilities Act. I didn't say this before, but there are a lot of activities going on all over this country this weekend. In every State, certain activities are taking place, although not the same thing. Different States do different things. Senator BROWN mentioned that in Iowa we are collecting stories from all of our 99 counties from people with disabilities, from families and friends who know of what has happened in the life of a person with a disability and has been affected by the Americans with Disabilities Act. I am participating this weekend in several events in Iowa commemorating the ADA. In every State we are doing this. It is happening all over the country. Of course, it is happening in Washington, DC, as well.

Next Monday there will be a series of events. At 10 a.m. there will be a panel discussion that will take place in the Kennedy Caucus Room in the Russell Building. That is from 10 to 12 noon. Everyone is invited. It will be a discussion, interestingly enough, among a lot of people who were there at the creation, including Steve Bartlett, whom I mentioned, Boyden Gray, Attorney General Dick Thornburgh, Bobby Silverstein, Pat Wright—a number of people who were there in the beginning—to talk about how this happened but then to also have the audience participate in a discussion about what needs to be done and where we go from here. So that is from 10 to 12 in the Kennedy Caucus Room in the Russell Building.

Then at 1 p.m. there is an ADA reception on the House side in Statuary Hall. That will start at 1 p.m. Then a very interesting thing is going to happen on the House side. At 2 p.m. the House will come into session. The Presiding Officer in the House at that time will be Representative JIM LANGEVIN from Rhode Island. Congressman LANGEVIN is a severe paraplegic. I have

known JIM for many years. He uses a wheelchair. Congressman LANGEVIN has never been able to preside over the House because, like our podium here, one has to go up a number of steps to get to it. There is no way he could get his wheelchair up there. I understand the House is in the process now of developing a system so that individuals who use wheelchairs can now get to the podium.

So for the first time, a Congressperson using a wheelchair will preside over the House of Representatives. I intend to be there. As a former House Member, I have privileges of the floor. I want to see that historic event. That will take place at 2 p.m. on the House side.

Then, at 4 p.m., from 4 to 6, President Obama is opening the White House lawn for a celebration. There will be several hundred people there—people with disabilities and their families and friends, people who have been involved in this. As I understand it, the White House will be making a proclamation at that time. That will be from 4 to 6.

At 7 p.m. there will be an ADA anniversary gala at the National Press Club from 7 p.m. to 11 p.m. thrown by a coalition of disability advocates. So a full day of celebration and remembrance and a day of commitment to moving further and making sure the promise of the ADA is fulfilled—not in 100 years but a much shorter time period than that.

As I mentioned earlier, it took 100 years, from Lincoln's Emancipation Proclamation to the Civil Rights Act of 1964, before the Emancipation Proclamation promise was actually put into law. I hope and trust and will work hard to make sure it doesn't take 100 years to make the promise of the ADA complete throughout our society. We have come a long way. We have some more things to do. We are at it and we are going to keep at it. We are going to keep doing whatever we can to make sure the four goals of the Americans with Disabilities Act are realized in as short of a timeframe as possible.

So with that, I yield the floor and note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARKIN. Madam President, first of all, I ask for the yeas and nays on the resolution.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. HARKIN. I thank the Presiding Officer.

I yield back whatever time remains on our side on this resolution.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARKIN. Again, I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BAUCUS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

RENEWING THE IMPORT RESTRICTIONS IN THE BURMESE FREEDOM AND DEMOCRACY ACT OF 2003

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of H.J. Res. 83, which the clerk will state by title.

The assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 83) approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

The ACTING PRESIDENT pro tempore. Under the previous order, all time is yielded back, except for 20 minutes, with the time equally divided and controlled between the Senator from Montana, Mr. BAUCUS, and the Senator from Kentucky, Mr. MCCONNELL, or their designees.

The Senator from Montana is recognized.

Mr. BAUCUS. Madam President, today the Senate considers extension of economic sanctions against the Burmese regime. The Senate should pass this resolution.

Aung San Suu Kyi, the Nobel Peace Prize winner and democracy leader in Burma, said ''the people in Burma are like prisoners in their own country.''

Dr. Suu Kyi, herself, remains, quite literally, a prisoner. The Burmese regime has kept her under house arrest on trumped up charges for 14 of the last 20 years.

She persists in her dream of freedom and democracy for Burma. By extending economic sanctions against the Burmese regime, we hope to make that dream a reality.

The Burmese regime seems intent on keeping its people in chains. According to the State Department, the regime continues to conscript children into the military and engage them in forced labor. It continues to violate freedoms of expression, assembly, association, movement, and religion. It continues to use murder, abduction, rape, and torture against its opponents.

I have often questioned whether unilateral trade sanctions are the best path. But several trading partners—including the European Union, Canada, and Australia—have joined us in imposing sanctions against Burma. The State Department has found that these sanctions have made it more difficult and costly for the Burmese regime to profit from imprisoning its people.

Let us stand with the Burmese people. Let us seek to free them from their captivity, and let us renew these sanctions.

I urge my colleagues to support this bipartisan resolution.

Mr. MCCONNELL. Madam President, today our colleagues will vote on H.J. Res. 83, which would extend sanctions on the Burma regime for another year. As in years past, I am joined in this effort by my good friend, Senator DIANNE FEINSTEIN. Alongside the 2 of us are 66 other cosponsors, including Senators MCCAIN, DURBIN, GREGG, and LIEBERMAN.

This overwhelming bipartisan support for sanctioning the junta reflects the clear view of more than two-thirds of the Senate that the generals currently ruling Burma should be denied the legitimacy they are pursuing through this year's sham elections.

Renewing sanctions against the military regime in Burma is as timely and as important as ever. The ruling State Peace and Development Council is continuing its efforts to try to stand up a farcical new Constitution by holding bogus elections. These elections—whenever they take place—will be dubious for a number of reasons. First, the junta continues to imprison Nobel Peace Prize laureate and prodemocracy leader Aung San Suu Kyi. The generals have made it clear they will prevent her from participating in any government under the new Constitution.

Second, the military leadership effectively forced Suu Kyi's party, which overwhelmingly won the last Democratic election way back in 1990, to shutter its operation.

Third, the Burmese electoral watchdog, which is essentially an arm of the SPDC, recently issued rules on campaigning that are ludicrous on their very face. For instance, they prohibit a variety of electioneering activities such as organizing marches, holding flags, and chanting slogans.

As if things in Burma on the election front were not alarming enough, the potential security threat posed by the regime has become increasingly worrisome. The last several months have continued to produce press reports of ties between Burma and North Korea, including particularly alarming indications of alleged weapons transfers from Pyongyang.

I am hopeful the time will soon come when sanctions against the Burmese Government will no longer be needed and that, as did South Africa in the early 1990s, the people of Burma will be able to free themselves from their own government. However, as recent events indicate, the Burmese junta maintains its iron grip on its people and continues to carry out a foreign policy that is inimical to U.S. objectives.

For these reasons, the United States must deny this regime the legitimacy it so craves and await the day when the Burmese people will be permitted to govern their own affairs.

The ACTING PRESIDENT pro tempore. The Senator from California is recognized.

Mrs. FEINSTEIN. Madam President, I will speak briefly on the resolution.

Mr. BAUCUS. I yield such time as the Senator from California may use.

Mrs. FEINSTEIN. Madam President, I wish to give just a little history to back up this resolution.

In 1997, former Senator William Cohen and I authored legislation, which required the President to ban new U.S. investment in Burma, if he determined that the Government of Burma had physically harmed, rearrested or exiled Aung San Suu Kyi or committed large-scale repression or violence against the democratic opposition. In fact, at that time, Secretary Albright met with the ASEAN nations and tried to encourage them to be of help. They were of no help, so the President, by Executive order, then instituted this investment ban.

In 2003, after the regime or some of its quislings attempted to assassinate Aung San Suu Kyi when she was on a march in the center of the country, Senator MCCONNELL and I introduced the Burmese Freedom and Democracy Act of 2003, which placed a complete ban on imports from Burma. It allowed that ban to be renewed 1 year at a time. That is essentially what we are doing today. It was signed into law and has been renewed 1 year at a time since then.

I became involved in this struggle for peace and democracy in no small part due to the courage and valor of this wonderful woman. I think I admire her as much as any woman in the world. Her message of democracy, human rights, and the rule of law continues to inspire not only her fellow citizens but people all over this great world, with her courage and her resolve in the face of constant oppression.

For the past two decades, Burma's despotic military rulers have engaged in a campaign of persecution against Aung San Suu Kyi, tarnishing her image wherever they could, unjustly convicting her of violating an illegitimate house arrest last year, and extending her unlawful detention.

She has spent the better part of 20 years under house arrest. She has not seen her two sons who live in the United Kingdom for years. She was not permitted to visit her husband when he was dying of cancer in the United Kingdom.

Yet Aung San Suu Kyi remains resolute in her dedication to the pursuit of peaceful national reconciliation, as do the members of her political party, the National League for Democracy.

Now, more than ever, the people of Burma need to know that we stand by them and support their vision of a free and democratic Burma.

On May 6, her party, the National League for Democracy, closed its doors. Let me be clear. They did not shut down of their own free will; it was forced to disband by an unjust and undemocratic constitution and election law, both drafted in secret and behind closed doors by the ruling military junta.

Under the terms of the new constitution, 25 percent of the seats must be set aside for the military. Think about that for a moment. Before any vote has been cast, the military is guaranteed one-quarter of the seats in the new 440-member house of representatives.

How will this new institution be any different from the current military regime?

If that isn't enough to raise doubts about the military's commitment to a truly representative government, it should also be pointed out that the regime's Prime Minister, Thein Sein, and 22 Cabinet Ministers resigned from the army to form a new civilian political party, the Union Solidarity and Development Party.

Any seats won by this new party in the upcoming election will be in addition to the 25 percent set aside for active military members.

Does anyone truly believe the regime has embraced democracy and the concept of civilian rule? Unfortunately, it will be business as usual for the people of Burma and the democratic opposition.

What about Suu Kyi and her National League of Democracy—winners of the last free parliamentary election in 1990? First, earlier this year, the regime, which has not allowed the party, the NLD, to assume power, officially annulled its victory in the 1990 parliamentary elections, which would have made Suu Kyi the head of the Burmese Government.

Second, under the new constitution, Suu Kyi is barred from running in any future election.

Why is this? What has she done to deserve this?

Well, in 2009, an American swam across the lake to her house, uninvited, and remained there for 2 days. She did not know this man. She had never communicated with this man. She had nothing to do with him, but he was obviously exhausted after swimming across the lake, and he remained in her house for 2 days. She was then arrested and convicted for allowing him to remain in her house, which, according to the regime, violated the terms of her house arrest.

Because of this conviction, she cannot participate in this or any future election under the new constitution. So here is the only democratically elected leader—elected 20 years ago—under house arrest for the better part of those 20 years. She survived an assassination attempt. She is ostracized and kept from any interaction with her political colleagues or her family and, finally, she can never run for any office again.

As a result, the NLD was faced with a clear choice: either kick Aung San Suu Kyi out of the party and participate in the election or face extinction.

It should come as no surprise that the party refused to turn its back on Suu Kyi and give its stamp of approval to the regime's sham constitution and electoral law.

I applaud their courage and their devotion to democracy, human rights, and the rule of law.

I am saddened to see the regime close its doors, but the spirit and principles of this party will live on in the hearts and minds of its people. I know that, one day, they will be able to elect a truly representative government.

As Tin Oo, NLD's deputy leader and former political prisoner, said:

> We do not feel sad. We have honor. One day, we will come back; we will be reincarnated by the will of the people.

This is a clear message to the regime that an illegitimate constitution and election law cannot suppress the unyielding democratic aspirations of the people of Burma.

We must send our own signal to the regime that its quest for legitimacy has failed. We must send a signal to the democratic opposition that we stand in solidarity with them, and we will not abandon them.

I also thank former First Lady Laura Bush, who joined with virtually all the women of the Senate to hold a press conference back in 2007. Mrs. Bush was willing to use her First Lady status to support this cause. I think it is a gesture that will not be forgotten by any of us.

Now is the time to renew the import ban on all products from Burma for another year. The regime has taken many steps in the wrong direction.

I live for the time when this military junta will recognize that keeping this brave woman under house arrest, absent any interconnection with any of the people of her party or of her country for 20 years, is an unjust penalty.

Simply put, we still have hope. Hopefully, the military junta, as they are called, will one day recognize that Burma should be a free and democratic nation and that an election should be open to all people and all runners. Then the opportunity for major change and recognition of the people of Burma in the Council of Nations will take place.

I regret very much that we have to do this for another year. I am grateful to Senator MCCONNELL for joining me over the years, as annually this has been recognized and a vote has been taken to continue the sanctions.

NLD

Mr. MCCONNELL. Madam President, I rise for a colloquy with my colleague, the senior Senator from California, to discuss interpretation of the Burmese Freedom and Democracy Act, as amended.

I ask my Democratic colleague, who is the lead cosponsor of this legislation, is it her understanding that the prodemocracy National League for Democracy party has officially decided to boycott the upcoming 2010 Burmese elections.

Mrs. FEINSTEIN. Yes, it is. The National League for Democracy in March

of this year indicated it could not participate in the elections due to the junta's repressive election law. It therefore declined to register as a political party and consequently under the new law was abolished as a political party in early May.

Mr. MCCONNELL. In light of the NLD's boycott of the elections and its consequent dissolution under Burmese law, is it my friend's understanding that the NLD may be driven underground as a result of its decision or be forced to reconstitute itself in some other capacity?

Mrs. FEINSTEIN. Yes, it is. The NLD has indicated it will try to continue to help the Burmese people in ways other than as a legally registered political party.

Mr. MCCONNELL. Is it the understanding of the senior Senator from California that the Burmese Freedom and Democracy Act, as amended by the Tom Lantos Block Burmese JADE Act, makes several references to the ''National League for Democracy''?

Mrs. FEINSTEIN. Yes, it is. There are several such references in the legislation as amended.

Mr. MCCONNELL. Is it also the Senator's understanding that references to the ''National League for Democracy'' should be interpreted to include any appropriate successor entity to the NLD, be it a nongovernmental organization or some other comparable group?

Mrs. FEINSTEIN. Yes. It is my view the proper statutory construction given the term ''National League for Democracy'' would be to include any appropriate successor entity, group or subgroups that the NLD may form in the future.

Mr. MCCONNELL. I thank my friend for clarifying this matter. It appears that both cosponsors are in full agreement on the proper means of interpreting this term.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Montana is recognized.

Mr. BAUCUS. Madam President, we are going to vote momentarily. In the meantime, I thank the Senator from California for her steadfast support to the cause of justice and for supporting this resolution and taking up the cause of Aung San Suu Kyi. I don't know of anybody else in this body—and Senator MCCONNELL has been forthright in his support, but I want people to know how strongly the Senator from California has been an advocate for Aung San Suu Kyi, and I deeply appreciate it.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BAUCUS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

Mr. BAUCUS. Madam President, I ask unanimous consent that all time be yielded back, both minority and majority.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAUCUS. I ask for the yeas and nays on the joint resolution.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The joint resolution was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, shall it pass?

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 99, nays 1, as follows:

[Rollcall Vote No. 216 Leg.]

YEAS—99

Akaka	Ensign	McConnell
Alexander	Feingold	Menendez
Barrasso	Feinstein	Merkley
Baucus	Franken	Mikulski
Bayh	Gillibrand	Murkowski
Begich	Goodwin	Murray
Bennet	Graham	Nelson (NE)
Bennett	Grassley	Nelson (FL)
Bingaman	Gregg	Pryor
Bond	Hagan	Reed
Boxer	Harkin	Reid
Brown (MA)	Hatch	Risch
Brown (OH)	Hutchison	Roberts
Brownback	Inhofe	Rockefeller
Bunning	Inouye	Sanders
Burr	Isakson	Schumer
Burris	Johanns	Sessions
Cantwell	Johnson	Shaheen
Cardin	Kaufman	Shelby
Carper	Kerry	Snowe
Casey	Klobuchar	Specter
Chambliss	Kohl	Stabenow
Coburn	Kyl	Tester
Cochran	Landrieu	Thune
Collins	Lautenberg	Udall (CO)
Conrad	Leahy	Udall (NM)
Corker	LeMieux	Vitter
Cornyn	Levin	Voinovich
Crapo	Lieberman	Warner
DeMint	Lincoln	Webb
Dodd	Lugar	Whitehouse
Dorgan	McCain	Wicker
Durbin	McCaskill	Wyden

NAYS—1

Enzi

The joint resolution (H.J. Res. 83) was passed.

20TH ANNIVERSARY OF ENACTMENT OF THE AMERICANS WITH DISABILITIES ACT OF 1990

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. Res. 591. The question is on agreeing to the resolution. The yeas and nays have been ordered on the measure.

The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 217 Leg.]

YEAS—100

Akaka	Barrasso	Bayh
Alexander	Baucus	Begich
Bennet	Gillibrand	Mikulski
Bennett	Goodwin	Murkowski
Bingaman	Graham	Murray
Bond	Grassley	Nelson (NE)
Boxer	Gregg	Nelson (FL)
Brown (MA)	Hagan	Pryor
Brown (OH)	Harkin	Reed
Brownback	Hatch	Reid
Bunning	Hutchison	Risch
Burr	Inhofe	Roberts
Burris	Inouye	Rockefeller
Cantwell	Isakson	Sanders
Cardin	Johanns	Schumer
Carper	Johnson	Sessions
Casey	Kaufman	Shaheen
Chambliss	Kerry	Shelby
Coburn	Klobuchar	Snowe
Cochran	Kohl	Specter
Collins	Kyl	Stabenow
Conrad	Landrieu	Tester
Corker	Lautenberg	Thune
Cornyn	Leahy	Udall (CO)
Crapo	LeMieux	Udall (NM)
DeMint	Levin	Vitter
Dodd	Lieberman	Voinovich
Dorgan	Lincoln	Warner
Durbin	Lugar	Webb
Ensign	McCain	Whitehouse
Enzi	McCaskill	Wicker
Feingold	McConnell	Wyden
Feinstein	Menendez	
Franken	Merkley	

The resolution (S. Res. 591) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 591

Whereas July 26, 2010, marks the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990;

Whereas the Americans with Disabilities Act has been one of the most significant and effective civil rights laws passed by Congress;

Whereas, prior to the passage of the Americans with Disabilities Act, people with disabilities faced significantly lower employment rates, lower graduation rates, and higher rates of poverty than people without disabilities, and were too often denied the opportunity to fully participate in society due to intolerance and unfair stereotypes;

Whereas the dedicated efforts of disability rights advocates, including Justin Dart, Jr., and many others, served to awaken Congress and the American people to the discrimination and prejudice faced by individuals with disabilities;

Whereas Congress worked in a bipartisan manner to craft legislation making such discrimination illegal;

Whereas Congress passed the Americans with Disabilities Act and President George Herbert Walker Bush signed the Act into law on July 26, 1990;

Whereas the purpose of the Americans with Disabilities Act is to fulfill the Nation's goals of equality of opportunity, independent living, economic self-sufficiency, and full participation for Americans with disabilities;

Whereas the Americans with Disabilities Act prohibits employers from discriminating against qualified individuals with disabilities, requires that State and local governmental entities accommodate qualified individuals with disabilities, requires places of public accommodation to take reasonable steps to make their goods and services accessible to individuals with disabilities, and requires that new trains and buses be accessible to individuals with disabilities;

Whereas the Americans with Disabilities Act has played an historic role in allowing over 50,000,000 Americans with disabilities to participate more fully in national life by removing barriers to employment, transportation, public services, telecommunications, and public accommodations;

Whereas the Americans with Disabilities Act has served as a model for disability rights in other countries;

Whereas all Americans, not just those with disabilities, benefit from the accommodations that have become commonplace since the passage of the Americans with Disabilities Act, including curb cuts at street intersections, ramps for access to buildings, and other accommodations that provide access to public transportation, stadiums, telecommunications, voting machines, and websites;

Whereas Congress acted with overwhelming bipartisan support in 2008 to restore protections for people with disabilities by passing the ADA Amendments Act of 2008, which overturned judicial decisions that had inappropriately narrowed the scope of the Americans with Disabilities Act;

Whereas, 20 years after the enactment of the Americans with Disabilities Act, children and adults with disabilities continue to experience barriers that interfere with their full participation in mainstream American life;

Whereas, 20 years after the enactment of the Americans with Disabilities Act, people with disabilities are twice as likely to live in poverty as their fellow citizens and continue to experience high rates of unemployment and underemployment;

Whereas, 20 years after the enactment of the Americans with Disabilities Act and 11 years after the Supreme Court's decision in Olmstead v. L.C., many people with disabilities still live in segregated institutional settings because of a lack of support services that would allow them to live in the community;

Whereas, 20 years after the enactment of the Americans with Disabilities Act, new telecommunication, electronic, and information technologies continue to be developed while not being accessible to all Americans;

Whereas, 20 years after the enactment of the Americans with Disabilities Act, many public and private covered entities are still not accessible to people with disabilities; and

Whereas the United States has a responsibility to welcome back and create opportunities for the tens of thousands of working-age veterans of the Armed Forces who have been wounded in action or have received service-connected injuries while serving in Operation Iraqi Freedom and Operation Enduring Freedom: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and honors the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990;

(2) salutes all people whose efforts contributed to the enactment of the Americans with Disabilities Act;

(3) encourages all Americans to celebrate the advance of freedom and the opening of opportunity made possible by the enactment of the Americans with Disabilities Act; and

(4) pledges to continue to work on a bipartisan basis to identify and address the remaining barriers that undermine the Nation's goals of equality of opportunity, independent living, economic self-sufficiency, and full participation for Americans with disabilities.

The PRESIDING OFFICER. The Senator from Texas.

TAX RELIEF

Mr. CORNYN. Madam President, in 160 days, the American people will experience the single largest tax increase in American history unless Congress acts. Unless Congress acts, the highest individual tax bracket will rise from 35 percent to just under 40 percent. People in the lowest tax bracket will see a 50-percent increase from 10 percent to 15 percent. The marriage penalty will go up. The child tax credit will be cut in half. Taxes on capital gains and dividends will go up as well. Every single taxpayer in the country will see their taxes go up.

Last week in the Senate Finance Committee we heard testimony from several experts about what these huge tax increases would mean in terms of the economy and to small businesses. Douglas Holtz-Eakin, former head of the Congressional Budget Office, reminded us that about $1 trillion in business income will be reported on individual tax returns and about half of that will be subject to the two higher marginal individual tax rates. There has been a debate—and I guess it will go on—about the relationship between the bipartisan 2001 and 2003 tax relief bills and the deficit. Some on the other side of the aisle like to argue that our $1 trillion deficits today are the result of tax relief we offered 10 years ago. They also like to argue that they bear no responsibility for the deficits they ''inherited.'' We are hearing a lot about that these days, very little taking responsibility for what has happened today but, rather, preferring to point the finger of blame at others in the past.

I have a chart which, if Members will bear with me, tells an important story. This chart measures the deficit as a percentage of our gross domestic product which is the entire economy. The solid lines, the red solid line and the solid green line, represent the historical record from the OMB. The dotted line represents CBO projections of the President's 2011 budget. The red line and a portion of the light green line also represent the record before the Obama administration took office, and the solid, dark green line represents the record since President Obama became President.

What does this chart tell us? It tells a very interesting and important story. It is true that deficits went up under the last administration and topped out at 3.5 percent of GDP. Of course, we have to remember the dot.com bubble, the recession that occurred about the time the last administration took office and, of course, the horrific events of 9/11. But then, just as the 2001 and 2003 tax relief provisions started to kick in, a strange thing happened to the deficit. It went down to $318 billion in fiscal year 2005. It went down again to $248 billion in fiscal year 2006. And it went down to $161 billion in fiscal year 2007. That is when our deficit went all the way down to 1.2 percent of gross domestic product, from 3.5 percent to just 1.2 percent of GDP.

People may have different interpretations for why this happened. I believe—and I think most economists and objective observers conclude—the reason the deficit went down as a percentage of gross domestic product was because the tax relief we passed in 2001 and 2003, which will expire in 160 days unless we act, helped grow the economy and got about 8 million people on the payroll between 2003 and 2007.

Not an incidental; it generated a lot more revenue for the Federal Government. As a matter of fact, it hit historic levels. That is the real record on the deficit. For my colleagues who claim they inherited a bad fiscal situation, this is what they inherited: a deficit which had reached one of the historic lows of 1.2 percent.

The green line here actually shows what has happened since our colleagues on the other side took control of this Chamber and the House of Representatives. The deficit shot up from 1.2 percent to 3.2 percent of GDP in fiscal year 2008. That was the last year President Bush was in office. Then went to 8.3 percent in fiscal year 2009.

Am I blaming my colleagues for this? I am saying there is more than enough blame to go around. But it is also not fair to suggest that previous administrations or one political party contributed to this increasingly dire fiscal crisis.

The reason the deficit rose after 2007 is because of the financial crisis that occurred, the meltdown, particularly in September of 2008. We know the recession we have been going through and, of course, the emergency measures that Congress passed on a bipartisan basis to try to prevent a systemic economic collapse in America—and other countries around the world participated in as well—these emergency measures were supported by then-Senator Obama, then-Senator BIDEN, and by dozens of colleagues on the other side of the aisle, as well as colleagues on this side of the aisle. We thought we were acting in a major crisis, and we were. My point is, the deficits we have today were not inherited deficits but, rather, because of legislation they helped enact.

Beginning January 20, 2009 this Congress and the President delivered much higher spending. Colleagues will recall the much ballyhooed stimulus package, $862 billion of borrowed money, which was supposed to keep unemployment below 8 percent. Obviously, that failed in its stated goal since unemployment has been almost up to double digits, now 9.5 percent. In places such as Nevada, it is 14.2 percent. In Michigan and other States, it is much higher. Obviously, the stimulus did not succeed in its stated goal. One thing it did succeed in doing is piling on additional debt on future generations unless we deal with it in a responsible way.

What happened as a result of the unprecedented spending we have seen since the Obama administration came into office? We see now that the fiscal year 2009 deficit as a percentage of the gross domestic product rose from an initial 8.3 percent to 9.9 percent, from 1.2 percent in fiscal year 2007 all the way to 9.9 percent.

The second important thing to notice about this green line is that it will never get back to the level under a Republican Congress. The highest deficit level under a Republican Congress was 3.5 percent in 2004. Under President Obama's budget, we will never get back to that level, even though it includes several, what most people would conclude are optimistic assumptions about future employment and economic growth. Even under those rosy scenarios, it will never get below 4.1 percent of gross domestic product. Once it gets there, the deficit continues to rise indefinitely.

Some of my colleagues have said they want to make this election in November about a choice. That is fine with me. To me, the choice on fiscal discipline comes down to this: Do we want deficits that are getting lower such as the red line we see here, dropping from 3.5 percent down to 1.2 percent, or do we want deficits to get higher, such as the dark green line we see here, all the way up to 9.9 percent? The truth is the dark green line is not just an inferior choice, it is an unsustainable choice.

Last month our national debt topped $13 trillion, up $2.3 trillion since President Obama took office. The CBO reported that our public debt will reach 62 percent of gross domestic product by the end of this year and will be 90 percent of our economy in only 9 years. We are on a budget path that will add $9 trillion in additional debt over the next decade.

While some of my colleagues want to let the tax relief we passed starting 10 years ago expire on January 1, we simply cannot tax our way to fiscal solvency. Again, according to the Congressional Budget Office, if spending is off the table—in other words, if we wanted to eliminate the deficit just as a result of tax increases—we would need to raise taxes by 25 percent to create a sustainable fiscal path for the next 25 years. Can Members imagine what a 25-percent increase in taxes would mean to hard-working American families, small businesses, what that would do to job creation, what that would do to the 9.5 percent unemployment rate we see today? It would make it worse, not better.

Tax increases alone don't solve the problem of trillions of dollars in unfunded liabilities in our entitlement programs either. They don't deal with the fact that Medicare is $38 trillion short of its promised benefits and now is expected to go insolvent by 2016. Social Security will pay out more in benefits than it receives in payroll taxes this year.

Yet the CBO has also estimated that individual income tax rates would have to rise by 70 percent to balance the budget while financing the projected spending growth in Medicare and Medicaid. That is assuming no other tax increases or spending reductions in the budget. That is based on our budget outlook for 2007, which has obviously deteriorated since that time. That is based on a pretty optimistic estimate on how fast spending will grow in these two programs, just 1 percent higher than the gross domestic product growth, even though these programs have averaged growth of about 2.5 percent more than gross domestic product over the last 40 years.

I do have some good news about our fiscal situation. The American people get it. That is why they believe spending and debt are two of the most important issues they want the Federal Government to address. The American people also understand intuitively the importance of keeping taxes low and what this huge tax increase that would occur, the largest in American history unless Congress acts, would do to the fragile economy and to high unemployment and to slow job creation.

According to a CBS News poll last week, when asked whether government spending or tax cuts would be better in terms of getting the economy moving, Americans preferred tax cuts by 53 percent to 37 percent. That is a 16-point deferential. Independents actually favored tax relief by 20 points.

My conclusion is, we need to listen to the wisdom of the American people. We need to stop lecturing them. We need to make permanent the tax provisions we passed in 2001 and 2003, not to advantage individuals but to continue economic growth, to continue our ability to reduce the deficit, because people are working and paying taxes and our economy is growing.

The most important message we can send to the small businesses and the job creators in America, when unemployment is at 9.5 percent nationally, is we are not going to increase their financial burdens in addition to the health care bill that was passed and other onerous burdens which have actually constrained job creation and create more uncertainty. We are going to actually encourage job creation by keeping taxes within reasonable limits while at the same time exercising some financial restraint by cutting spending and dealing with this burgeoning debt and burden on the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Thank you, Madam President.

SMALL BUSINESS LENDING FUND ACT OF 2010—Resumed

The PRESIDING OFFICER. If the Senator will suspend, the clerk will report the pending business.

The legislative clerk read as follows:

A bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

Pending:

Reid (for Baucus) amendment No. 4499, in the nature of a substitute.

Reid (for LeMieux) amendment No. 4500 (to amendment No. 4499), to establish the Small Business Lending Fund Program.

Reid amendment No. 4501 (to amendment No. 4500), to change the enactment date.

Reid amendment No. 4502 (to the language proposed to be stricken by amendment No. 4499), to change the enactment date.

Reid amendment No. 4503 (to amendment No. 4502), of a perfecting nature.

Reid motion to commit the bill to the Committee on Finance with instructions, Reid amendment No. 4504 (the instructions on the motion to commit), relative to a study.

Reid amendment No. 4505 (to the instructions (amendment No. 4504) of the motion to commit), of a perfecting nature.

Reid amendment No. 4506 (to amendment No. 4505), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Thank you, Madam President.

We are now on a very important bill, the small business jobs growth bill. It is a bill that actually many of us on both sides of the aisle—from the Small Business Committee to the Finance Committee, to Members who are not members of either one of those committees—have contributed immensely to the building of a bill that we think holds a great deal of promise for small businesses throughout our country that have been beaten and battered. But amazingly, in many places, these businesses, despite all the odds, are hanging on and they are looking for some help.

That is what this bill attempts to do—to build strong partnerships with the private sector, to use the resources that are already out there, most notably, our community banks, our small banks.

There are over 8,000 of them. We have not heard a lot about those banks. I see the Senator from Florida in the Chamber who is going to speak in just a minute. We have not heard a lot about community banks on this floor. All we have heard about are Goldman Sachs, Lehman Brothers, AIG. We have heard about Wall Street and big banks. We have not heard about small community banks and small businesses—the 27 million of them that are struggling in America today.

This bill finally—finally—has reached the floor of the Senate. The House has already passed a very strong bill. It has finally reached the floor of the Senate to give us an opportunity to debate what we can do to help small business and what we can do to strengthen and support our healthy community banks in all our States.

It is an exciting time. I say to the Presiding Officer, I thank her as a member of the Senate Small Business Committee for being a part of this effort. Again, the Small Business Committee, in a bipartisan way, and the Finance Committee, in a bipartisan way, have contributed to this legislation, and we are moving to the final hours of this debate now.

AMENDMENT NO. 4500

The Senator from Florida, Mr. LEMIEUX, and I are offering an amendment which is pending before the Senate now. It is a very important amendment to the underlying bill. The pending amendment is the LeMieux-Landrieu amendment. It has many other cosponsors whom I will submit for the record in a moment. But this amendment that is pending now is a small business lending fund amendment that actually makes $1.1 billion for the Treasury. It earns that much over 10 years. It does not cost the Treasury anything. It earns $1.1 billion. It uses the power of the private sector. It uses the power of our community banks that are on Main Streets—whether it is in Tallulah, LA, Lake Charles, LA, or right down Canal Street in New Orleans or some of the main streets in Florida and other States.

It uses the power of those banks—their knowledge of the small businesses in their communities—and it leverages that powerful relationship to help end this recession. But we have to be about job creation, and the people who are going to create the jobs are small businesses.

(Mr. BURRIS assumed the chair.)

Ms. LANDRIEU. As I turn the floor over to the Senator from Florida to speak about our small business lending amendment, let me say, again—I could not say it any more clearly—small firms—and this chart is from 1993 to 2009—small firms in America, those between 1 employee and 499 employees, created 65 percent of the jobs. Only 35 percent of the jobs were created by large firms. These numbers on this chart pertain to the last decade.

I say to the Presiding Officer, you used to be a banker in Illinois. You have a great deal of expertise here, and I think your own experience would tell you if we updated this chart—which we do not have the figures to do—I think this 65 percent would be increased substantially because the people out there creating jobs are small businesses.

We have seen news article after news article, just in the last couple weeks—the front page of the Washington Post, the front page of the New York Times—headlines: Big Firms Hoarding Cash; headlines: Big Banks Hoarding Cash. I guess so. They have gotten a lot of cash from this Congress. But it is the small businesses out there that are struggling to get capital to create jobs, and it is the small, healthy community banks that are out there battling with them to create jobs to revitalize their communities and increase demand.

So let's keep our eyes on this chart, and let's keep our minds focused on one clear fact: Small business in America is the most powerful job-creation engine, and right now we have to put a little fuel in that tank. That fuel is capital to healthy community banks that can then leverage the power of those healthy community banks to get money to small businesses at reasonable rates—not credit card rates at 24 percent, 16 percent, not payday lender rates that are at 30 percent, sometimes 50 percent but at reasonable rates—with reasonable terms so they can create jobs.

That is why the Senator from Florida and I are on the floor. I would like to yield the next 10 or 15 minutes to the Senator from Florida, Mr. LEMIEUX, the cosponsor of this amendment.

The PRESIDING OFFICER. The Senator from Florida.

Mr. LEMIEUX. Mr. President, I wish to thank my colleague from Louisiana, Senator LANDRIEU, the chair of the Small Business Committee, who has been a great leader on this topic. It has been my pleasure to work with her on this measure to try to help our struggling small businesses.

I think Florida, maybe more than any other State, relies and depends upon its small businesses. We are the fourth largest State in the country, but we are a State that grew so fast, so quickly, that even though we have 18.5 million people, we do not have a lot of big businesses.

The businesses in Florida—nearly 2 million of them—are small. Not one Fortune 100 company is headquartered in Florida. Now we are trying to get there—we have a couple that are on the cusp—and we will. But Florida had this meteoric rise in population over the past 20 or 30 years. It was built on construction and growth and tourism and all the reasons why people want to come to our beautiful State.

But the jobs that have been created over the years are from small firms. They are the restaurant, the local diner, the beach shop, the tailor, the laundromat, the auto mechanic. These are the businesses that are creating the jobs in Florida. Many of them are centered around the service economy.

We are doing a lot to diversify our economy. But the truth of it is, they are the mainstream of Florida's economy, and they are struggling. This is the worst recession in anyone's memory in Florida, even worse than the recession we had in the 1970s.

Our unemployment rate peaked over 12 percent. It is still at 11.5 percent. While this sounds strange, 11.5 percent may not be better than 12 percent in this circumstance because what happens on unemployment rolls is that after a certain amount of time, people drop off and are no longer even looking for work. The truth of it is, if you are walking down the street in Florida and you see another adult walking down the street who is not retired, there is a one in five chance that person is unemployed or underemployed.

Times are tough. There are some signs of life. Some things are getting better. But for Floridians, this is the most difficult economy we have ever experienced. We have the second highest mortgage foreclosure rate. I read recently that our folks are No. 1 in the country in being behind in their mortgage payments.

So our small businesses, the creators of jobs, the folks who, as Senator LANDRIEU said, create 65 percent of the jobs nationwide—I bet you that number is much higher in Florida—need help. This bill is going to help those small businesses. It is not going to cure the problem overnight. Let's be realistic. But it is going to help.

The base bill does a lot of good things for small businesses. There are a lot of tax cuts in this bill. It is going to exclude small business capital gains by 100 percent. The bill will temporarily increase further the amount of the exclusion from the sale of qualifying small business stock. It is going to help something on carryback interest. It means a lot to small businesses. It will extend the 1-year carryback for general business credits to 5 years for certain small businesses. This alternative minimum tax hurts our small businesses. This bill will allow certain small businesses to use all types of general business credits to pay less taxes. When they purchase equipment, it is going to allow them to accelerate that depreciation. When small businesses get to keep more of their money, they get to keep more of their employees, and they get to hire new ones. That is just in the base bill.

This amendment Senator LANDRIEU and I and others are working on is going to put money into our local community banks that will be lent to small businesses. There has been a lot of confusion about the bill, and some of my friends and colleagues on my side of the aisle do not like it. I hope they are going to come around. There is a concern that this is going to be similar to what happened in the TARP bill. But these two bills are very different, and this amendment is very different. Let me explain why.

TARP went to the big banks that were failing at the end of 2008, a lot of which were selling mortgage-backed securities and other exotic investments they should not have been selling, and they put their assets at risk and, therefore, put the American economy at risk.

This has nothing to do with that. These are small banks. This is the banker you know down the street, the banker who is at your rotary or at your Kiwanis, whom you see at church or synagogue. This is not some Goldman Sachs banker. This is your local community banker who loans to the laundromat, the tailor, the construction business—the folks who employ people in your hometown.

This program is optional. No bank has to take it. If they are a small bank, though, if they have assets under $10 billion, they will get an ability to get some more money they can lend out to small businesses that create jobs.

That is not a partisan issue. We all should support that. The money that comes back in is going to be repaid, and not only are we not going to increase the deficit or the debt, as my colleague from Louisiana just said, the

Federal Government will actually make money. That is not something we hear a lot about in Washington.

So it is not going to increase the deficit. It is not going to increase the debt. It is not going to increase taxes. It is going to lend money to local banks, to loan that money to small businesses, to help them in this difficult time.

When I drive down the streets of Florida—whether it is in Orlando, Tampa, Pensacola, Jacksonville, Fort Lauderdale, Naples, all across the State—we have a lot of strip shopping centers. It is the way Florida was built. It is nice. You get to park in front, go in, buy your goods or services, and go home. But you can see them from the roads. When I drive down these main thoroughfares and I look over, what I see are empty buildings—empty buildings—because our small businesses have gone under because they no longer can pay their rent, because they no longer have the customers they used to have, and because they no longer can get lending from their bank.

What is particularly of interest to Floridians about this bill—I am sure this is true in other States, such as California and Arizona and Nevada, other States that had this big real estate-based economy that boomed in the past years—what happens to your local businesses is that a lot of times the loans they are getting now are tied to real estate they own. They may own a small parcel in a small building where they operate their business. They have a mortgage against that property. They are paying their payments, but the asset, the real estate, has fallen in value tremendously. So now, when the regulators come in and look at the bank's books to make sure the banks are operating OK, they say: Wait a minute. The mortgage that Joe's business has is technically in default because the asset their loan is against has fallen in value by 50 percent. I have business owners coming to me all the time telling me their banks are putting them in technical default because of the depreciation of the asset which is being held against the loan, which is their real estate.

So this is an extreme and an enormous problem in Florida. This bill will put more money in the small banks to help lend to businesses to help them bridge the gap until this economy recovers.

I also wish to speak a little bit about another amendment to this bill I have been working on with Senator KLOBUCHAR that talks about export promotion—another issue that is not partisan. We all want more exports. Exports in Florida are a big deal. They are a huge part of our economy, being the gateway to Latin America. We sell our goods overseas. But small businesses, and even medium-sized businesses, whether they are in Illinois or Louisiana or any other place in this country, often don't know the services the Federal Government—the Department of Commerce—can give them to open the doors of trade and allow them to sell their products overseas.

So what Senator KLOBUCHAR and I are doing with this amendment, with export promotion—and she has done a tremendous job on this issue—is putting more resources into the Department of Commerce to go back to 2004 levels—because we have had to make a lot of cuts there—in order to provide more folks who can then go out and show businesses how they can sell their wares, to create more sales, so they can grow their business and hire more people.

That is good for everybody's economy. I am not a big believer in government spending, but when we are spending to help businesses pursue their economic and entrepreneurial opportunities, that is good for America. In fact, when the Department of Commerce spends $1 million on export promotion, their estimated return is $57 million—a 57-to-1 economic return. So that is just another very good part of this bill.

I hope we have an opportunity to vote on this bill. We may even have an opportunity to vote on this bill and this amendment today. Our leadership is working on some other amendments. I hope those opportunities will be provided.

This is a bill we all should agree upon. It is a bill that should have 70, 80, or more votes in this Chamber, and we should get it done because it would be good for the small businesses, the job creators of our country, in their time of need.

I wish to thank my colleague from Louisiana who has been a great leader on this issue. I wish to thank her for working with me in order to lend my efforts to this bill to help to improve it in ways that I thought would be important for this country and for my home State of Florida. I also wish to recognize my colleague, Senator KLOBUCHAR, who is here. She has done such great work on the export portion of this bill.

With that, I will turn back my time to my colleague from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I thank my colleague from Florida for his excellent explanation using real stories and terrific visuals because he just painted a picture for us about what those empty shopping centers look like. We have seen those in our own States as well. He is absolutely correct. If we don't do anything, the problem is, they are going to stay empty. We just can't wish it to change. We have to act in a way that will help it change. That is what this bill is about.

Again, this is not a big government solution. This is a potential solution that holds a lot of promise based on strengthening relationships that already exist that are basically in the private sector. That is what this effort is. It is exactly as the Senator from Florida outlined.

He spoke about—and he is right—one of the arguments we have heard which we can't seem to understand. If there is somebody who can explain this, they should come to the floor and help us. We keep hearing: This is like TARP. So I wish to take just 1 minute to explain the differences in as simple a way as I can.

TARP stands for Troubled Asset Relief Program. It was $700 billion. It was a program that George Bush fashioned initially and was continued through this administration to give money to big banks that were getting ready to fail. I wish to say that again: $700 billion, fashioned first by the Bush administration, available to big banks that were failing and that many people were opposed to. This program is not $700 billion, it is $30 billion. It is not going to big banks on Wall Street; it is going to small banks on Main Street. The TARP money went to banks that were failing. This is going to healthy banks that are trying their best to lend; that want to help their communities to revitalize. So if anyone thinks this is like TARP, please come talk to me because I could explain how it is not anything like TARP.

I can show my colleagues many letters and many documents, starting with one, and then I will turn it over to the Senator from Minnesota. One of the main reasons it is not like TARP is because there were a lot of bankers who were opposed to TARP. They didn't like the government intrusion. They didn't like the rules and regulations. One could argue it was necessary, but many bankers weren't for it.

This letter I am holding—and I will have it blown up—is from the Independent Community Bankers of America. They represent 5,000 independent banks—5,000. I am just going to read the first paragraph of this letter that they sent to HARRY REID and MITCH MCCONNELL. This is a letter they sent to Leader REID and to MITCH MCCONNELL, minority leader of the Senate. It reads:

> On behalf of the nearly 5,000 members of the Independent Community Bankers, I write to urge you to retain the Small Business Lending Fund in the Small Business Jobs Act. The SBLF is the core component of this legislation and the provision that holds the most promise for small business creation in the near term. Failure to even consider the SBLF in the Senate would be a missed opportunity that our struggling economy cannot afford.

Let me go on because this is important:

> The Nation's nearly 8,000 community banks are prolific small business lenders with community contact, underwriting expertise. The SBLF is a bold, fresh approach that would provide another option for community banks to leverage capital and expand credit to small business.

I can't understand one reason to not support this. This is the core of this bill. The bill will be somewhat empty without it. This is the core of the bill.

So we are going to put this on this bill, and we are going to urge our colleagues to then understand that the bill will then be whole and we can all join together and vote for this very important bill and this very important amendment.

I am going to specifically answer the arguments raised by the minority leader on the floor in his very brief comments this morning. He made four arguments, and I will try to address each and every one in just a moment. Before I do, I will ask the Senator from Minnesota, who is a cosponsor of this lending provision and an actual designer and creator of one of the key components of it—because Minnesota, like Louisiana—we may be in different parts of the country, but our businesses depend on exports. Whether you are at the head of the Mississippi River or the foot of the Mississippi River, which we both represent in this Nation, and we often talk to each other about how narrow it is up in Minnesota and how wide and wonderful it is in both places, both north and south. But it really does connect us because it is all about exports and trade.

So I wish to recognize my friend, the Senator from Minnesota, who will talk about the export provision of this amendment and why it so crucial.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I wish to first commend Senator LANDRIEU for her great leadership. It is true we share this river, and when you see all the barges go down the river every day, you see the trade and the export firsthand that we are talking about. I am focused on the export end, but I wish to give my support to the lending part of this. It is so important, and Senator LANDRIEU, as head of the Small Business Committee, has worked on it incredibly hard.

When we discussed this idea last year of small business lending, I went around to a number of my small businesses and I heard time and time again how much this would be helpful for them. I think it is summed up by a letter I got from Bertha, MN. My colleagues may not have heard of it. It is not exactly a metropolis. This letter is from a guy named Harry Wahlquist of Star Bank in Bertha, MN. This is what he wrote just a few weeks ago. He said:

> I am a banker and need capital to continue serving my nine Minnesota towns. Please pass the small business lending bill now. You gave money to Wall Street. How about Main Street in Minnesota?

I think it has been said that Wall Street might have caught a cold, but Main Street got pneumonia. There are still many issues out there, and a lot of it could be helped to create private sector jobs by simply allowing credit out there and more loans.

The other piece of this which Senator LANDRIEU and my other great colleague from the Commerce Committee, Senator LEMIEUX, mentioned was exports. I became very interested in this because my State is now seventh in the country for Fortune 500 companies. We are 21st in population, but we have a strong and thriving business community that believes in exports and believes in innovation. We brought the world everything from the Post It note to the pacemaker. While all of these things did not start at the big companies, these big companies started in garages—companies such as Medtronic, in Two Harbors, MN, or little sandpaper companies such as 3M. They all started small. Sixty-five percent of the jobs in this country are due to small business. Yet these small businesses, which now see this world of opportunity out there for them—95 percent of the jobs in America—95 percent of the customers for America, for American businesses, are outside of our borders.

Unlike 3M or Medtronic, great Minnesota companies—or Best Buy—that can have people working internally on these issues to identify markets, a little company in Benson, MN, isn't going to be able to have a full-time person looking at where they can sell their products. They still have managed to do it, and a lot of them have been able to do it by working directly with the Commerce Department. These are not little companies that necessarily are big government guys. These are people who are conservative businessmen or businesswomen who went out there and said: Well, how am I going to figure out where I can sell my product around the world when I don't speak the languages. I don't have a trade person.

My favorite example is a company called Matt Trucks in northern Minnesota, population 900, the moose capital of our State.

A little second grader named Matt was in school and he came home to his dad and he drew a picture of a truck. The truck had wheels and he put a bunch of tracks on each of the wheels of the truck. His dad said: Matt, that is really cute. But as you have seen on TV, the tracks go between the wheels.

This little kid said: No, Dad. This would be a lot better because you can put the tracks on the wheels and take them out and use it as a regular truck.

His dad is a mechanic. He went into the shop and created this truck and these tracks. Then he started a company that he called MATTRACKS, after his second grader. They have about five employees. They are chugging along.

One day the dad went to Fargo, ND, which is the region of the Commerce Department that serves part of Minnesota, and he talked to a woman named Heather. She is with the Federal Government. He went to her for help. She looked on her computer and identified some markets and called the embassies where he could sell this truck. Now, due to exports, due to the fact that they are exporting to dozens of countries, from Kazakhstan to Carlton, MN, they have 55 employees, all because of exports.

We have seen this all over our State. That is why Senator LEMIEUX and I came together to introduce a bill to focus on exports for small- and medium-sized businesses.

Do my colleagues know that 30 percent of small- and medium-sized businesses would like to export more, but they simply don't know how to do it? Well, this amendment helps to fill the gap and assist U.S. businesses that are looking to export their products but do not have the resources or the know-how to find new international customers.

The program focuses on locating and targeting new markets, the mechanics of exporting, including shipping, documentation, and financing, and the creation of business plans. This amendment is projected to create 43,000 jobs. It would do this by making sure this U.S. and Foreign Commercial Service, which assists small- and medium-sized businesses, is able to carry out its mission to work with these businesses by having adequate staff.

Secondly, it expands the rural export initiative, which helps rural businesses develop international opportunities. As noted by my Republican colleague, Senator LEMIEUX, the numbers are clear. Every dollar invested in this program creates $213 in rural exports.

This part of the small business amendment that Senator LANDRIEU is putting together allows the Department of Commerce to identify known exporters that have a capacity to grow their international sales. A business that has already been exporting to Canada or Mexico something like 50 or 60 percent of its business only exports to those countries—it allows them to look for other countries. It provides matching grants to industry associations and nonprofit institutions to underwrite a portion of the startup costs for new export promotion projects.

This is real jobs. We all know that we helped our country from going off the financial cliff. We did that with the stimulus package and by building new roads and bridges. The way out of this economic slump will be with private business expanding and with jobs. The way you do it is look across the borders and see where you can sell your goods. They have been selling goods to us, right? I want the United States to be a country again that makes goods and sends our goods to other countries. That is what this piece of the bill is about.

I am grateful to Senator LANDRIEU and for the leadership she included in this package. I thank Senator LEMIEUX for his leadership on this amendment. I hope we pass this bill. It is incredibly important.

I now turn to my other colleague, who has chosen to wear bright pink today, the Senator from Louisiana.

I yield the floor.

Ms. LANDRIEU. Mr. President, I thank my colleague for the beautiful stories she shared from her State. It makes this all so real. It is. It seems as if sometimes it is not when we debate these bills on the floor. But it is so

real—the outcome of what we do on the ground in the States that we represent, and in these small towns. I will remember Matt's story. I am going to share the speeches that I give around my State, and how incredible it is that a young child would present an idea to a father and the father is smart enough to recognize what a good idea it was and took it and built a business, and through a great strategic partnership with the father, a private business owner, and a very willing Federal employee, found a program that works to build his business, now with up to 55 employees.

That happens all over the country. It happens in Louisiana. Speaking about Louisiana, I will read what our bankers at home—the bankers in my State—say about this program. I read the letter to MITCH MCCONNELL and to HARRY REID, delivered by the 5,000 community banks in the Nation that are strongly supportive of this small business lending fund—community banks that know these businesses. They are standing there watching them and, in many instances, suffering and not able to give them the support they need because of the credit constraints that were so beautifully expressed by Senator LEMIEUX, as falling real estate values have put the original capital that was their collateral in the bank in some jeopardy, or it has to be scored in a different way. This bill will help. That is why bankers all over the country are supporting it.

Let me say what my bankers, who are normally a more conservative group—they don't agree on everything this Congress has done, either when Republicans or Democrats are in charge; they tend to be more conservative. They don't like big government and a lot of regulation and intrusion. This is what they have said on behalf of their small businesses:

> On behalf of the members of Louisiana bankers, I am writing to express our support for the small business lending fund. Treasury would invest in community banks from this program that would be separate and apart from the Troubled Asset Relief Program. This legislation would serve as another voluntary tool for community banks to meet the needs of small business. Meeting the needs of these borrowers has been more difficult as regulators pressure many banks to increase their capital-to-asset ratios.
>
> Given the severity of the downturn, it is difficult, if not impossible, for community banks to find new sources of capital. Thus, the only option for many banks is to shrink, which can mean making fewer loans. This lending provision would allow banks to avoid that result, continue to meet the needs of their communities. With an improving economy and public investment, such as those proposed, lending can increase faster in some of the hardest-hit areas of our country.

The Louisiana bankers would know about this, because we are in one of the hardest hit areas. Not only is the recession affecting us like everybody else, but if we haven't noticed lately, there is a lot of oil out in the gulf because of a tragic, unprecedented accident. The Gulf Coast community is struggling almost more than any other region of the country because of it. Now because we have constrictions on drilling—which I don't agree with but which are in place—we are finding employment harder to come by and businesses struggling even more. So our Louisiana bankers know this. They have sent letters to myself and to the junior Senator from Louisiana, Senator VITTER, asking us to please be supportive of community banks, saying you have done a lot to help the big banks and Wall Street, so please help us. That is what this amendment is about.

I am going to yield the floor for a few moments. I will come back within the next 30 minutes or so and continue this debate this afternoon. We are on the small business bill. The pending amendment is the LeMieux-Landrieu-Nelson from Florida-Merkley-Boxer-Cantwell-Murray-Whitehouse, and other Members are joining us as cosponsors of this amendment. Senator BURRIS from Illinois is also joining us on this amendment.

We are picking up support as organizations express themselves today to Senators, saying how important this small business lending fund is. It could leverage $30 billion. It will earn a billion dollars for the taxpayers, which is an attractive characteristic. It doesn't cost anything and it actually makes money, as any smart banker and business wants to do. It doesn't cost money—well, it costs a little on the front end but makes it back on the back end. It is supported by a growing number of Senators, we hope, on both sides of the aisle.

As we continue this debate today, I look forward to answering some of the concerns raised and will try to put those to rest so we can have a very strong vote on this amendment on the underlying bill.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ENSIGN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENSIGN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ISRAEL

Mr. ENSIGN. Mr. President, I rise today to address a relationship between the United States and our ally Israel. I was glad to see that President Obama took some time over the July Fourth recess to sit down with Israeli Prime Minister Netanyahu and discuss the rocky path which U.S. and Israeli relations have taken over the past 2 years.

Israel is, by far, our strongest ally in the region. This close relationship and friendship is built on a bedrock of common democratic values, religious affinity, and perhaps most importantly national security interests. We are both nations that face threats posed by radical Islam.

While we have been able to take the fight to the enemy, as we fight al-Qaida and Taliban refinements in Afghanistan and Iraq, Israel has not been so fortunate. They face an existential threat. This threat to their existence is not just Hamas and Hezbollah, who attack Israel with suicide bombs and rocket attacks, but also from radical nations such as Iran and their allies.

When one nation says to another, ''We are going to wipe you off the map,'' we need to take that threat seriously. This is especially true when that nation says it over and over again, as Iran has. As an ally, Israel should be able to count on us for support. This support is not limited to financial and military support but also diplomatic and moral support. So when Iran says they are going to wipe Israel off the map, the United States needs to stand up and say, ''No, you will not.'' We cannot send mixed messages. That is why what happened at the 2010 Nonproliferation Treaty Review Conference worries me so much. For when we fail to stand up for our allies on the smaller issues, they begin to question our resolve when it comes to the large issues, such as their existence.

Under the Nonproliferation Treaty, there is a conference every five years to seek ways to strengthen the treaty and advance the goals of nuclear nonproliferation. At this conference, Secretary Clinton opened by stating that:

> Iran will do whatever it can to divert attention away from its own record and attempt to evade accountability. . . . But Iran will not succeed in its efforts to divert and divide.

Additionally, a White House official was quoted in the Washington Post at the beginning of the conference summarizing: ''This meeting is all about Iran.''

Based on these comments, one would expect to see some reference to the fact that Iran and Syria are both flagrantly violating their treaty obligations. One would expect to hear that Iran has threatened the existence of another sovereign nation. One would expect to hear how Israel was forced to destroy a North Korean nuclear facility located in its backyard. We did not see anything of this sort in the final document. What we did see instead was the name ''Israel'' appearing. I am a little bit confused. Why would we agree to a document that does not mention Iran or Syria but does single out our strongest ally in the region? This is even more puzzling considering this is a consensus document. That means that we, as a nation, had to sign off on it. Essentially, we threw one of our closest allies under the bus, in exchange for what? I do not believe there is a good answer to this question. What type of message does this send not only to Israel but to our other allies? It says:

We will not hesitate to throw you overboard in exchange for a political tic mark that gets us nothing.

In closing, I believe that based on what Secretary Clinton was hoping to achieve and what we actually did achieve—the alienation of an ally—this conference has to be considered an utter failure.

Some over at Foggy Bottom, at the White House, and in Congress need to realize how important our relationship with Israel is and start taking steps to strengthen that relationship instead of taking steps to weaken it, as we did at the recent Nonproliferation Conference.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, I ask unanimous consent to speak for the next 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, I know Members are busy around the Senate today on various committees and special caucus lunches, talking about many aspects of not just this bill but other things that are pending. I thought I would come to the floor while we had this time to make a few general remarks about the small business bill and also specifically about the Small Business Lending Fund which is the amendment that is pending.

The Small Business Lending Fund amendment is a bipartisan amendment by Senator LEMIEUX of Florida and myself. It is also sponsored by the senior Senator from Florida, Mr. NELSON, Senator MERKLEY from Oregon, Senator BOXER from California, Senator CANTWELL, Senator MURRAY, Senator WHITEHOUSE, Senator BURRIS from Illinois. We added Senator HAGAN just a few minutes ago as a cosponsor, and we are getting calls regularly, throughout the day, from Senators who want to be a sponsor of this amendment. We believe we have great support on the floor of the Senate, and that support is growing as this debate goes forward and as more people begin to understand that this Small Business Lending Fund is really the core of the small business bill.

There are three pieces of the small business bill. One piece that came out of the Finance Committee on a very strong bipartisan vote, I understand, was a $12 billion targeted tax cut for small businesses in America. There should be listed, I hope on my Web site and other Web sites of the Finance Committee, a list of all those tax cuts. One or two I am very familiar with would be a real advantage to anyone in America who wants to invest in a small business over the course of the next 6 months to a year. You will pay no capital gains if you hold that investment for 5 years; you will pay zero capital gains because that is one of the strategic targeted tax cuts in this bill. In addition, there is accelerated depreciation for small businesses—not for big businesses but for small businesses—so small businesses in America, defined as those businesses with under 500 employees, can write off some of the investments they are making to try to grow their businesses in these difficult times. We want to help them do that. So one important part of this bill is $12 billion in tax cuts to small businesses. This is a very important component.

The other important component came out of the Small Business Committee with a bipartisan vote. It strengthens the core programs within the Small Business Administration. It strengthens the 7(a) Program. It strengthens the 504 Program. These are programs that allow lending to small businesses for commercial real estate. They allow lending for the capital needs of those businesses—for businesses to purchase inventory, to purchase other goods and services necessary to operate their business.

These are longstanding programs that are very well supported on both sides of the aisle and that we find have worked so well we want to double the limits, we want to eliminate the fees, and we want to increase the guarantee from 75 percent to 90 percent. When we did this under the stimulus program a year ago on an emergency basis, we saw the number of loans go up dramatically. That time came to an end, and so in this bill we are reinstating that very successful program that works. Senator SNOWE, the ranking member, and I are very supportive of that provision, and that is in the bill.

There are three main pieces. I have talked about two. The third piece is what this amendment represents. The third piece, according to the National Bankers Association, is really the core of the bill. That is according to the community banks, not the big banks on Wall Street but the community banks on Main Street. They have written letters to all of us—to the majority leader, to the minority leader—saying: Please support the Small Business Lending Fund. It is not like TARP, it is completely different, they say, and they are right.

As I said earlier this morning, a little bit of opposition we are hearing even from the minority leader, MITCH MCCONNELL, indicated that one of the reasons that maybe some of the Republicans might not be for this is because this is like TARP. The TARP was a $700 billion bailout to big banks. This is a $30 billion partnership with healthy community banks. TARP was a $700 billion bailout for failing, unhealthy big banks on Wall Street. The small business lending program is $30 billion—much smaller, strategic private sector partnership with small community banks that are on Main Street to keep all of our small businesses open and operating and growing so we can get out of this recession.

I hope the arguments that this is TARP-lite or TARP, Jr., will go away because the facts are so completely different from one program to the other. This is a strong strategic partnership that could have been defined as a bailout. It was a bailout. Some of us think it was necessary, some think it was unnecessary, but it was a bailout. This is not a bailout. This is only going to healthy banks that, because of the falling value of collateral they are holding behind some of those loans because the regulators are looking at it a bit more, giving more scrutiny to banks everywhere—some of that is good and some is a little bit heavyhanded, but nonetheless it is happening—banks are having a hard time generating the capital to have those ratios correct when the regulators come in, and so they are cutting back on lending.

If we want banks to lend to small businesses, we need to help them, and they want us to help them. They are for this. The independent bankers have sent us letters. The community bankers have sent us letters, as well as the American Bankers Association. That is unlike TARP, where there were many banks, even some that received money, that didn't like the program. They didn't like it because there were lots of strings attached. They didn't like it because they thought it would ''ruin their reputations.'' They didn't like it because they didn't want to have to go through stress tests. I understand that. I think the program has worked pretty well, but that was that program. That was 2 years ago. This is now. It is a different initiative. It is not even really a government program; it is a private sector partnership between the Federal Government and taxpayers and their community banks that they know and they trust. They see these bankers at the Rotary Clubs and Kiwanis clubs. They see them in church, they see them in the synagogues, they see them on Main Street. These are the bankers who know their businesses and want to lend to their businesses. They know the businesses that have the potential to grow and those that potentially might not be able to grow. They know the businesses that have readjusted for this economy, this tough economy. We can trust our community bankers.

I am the chair of the Small Business Committee. I have had the most extraordinary opportunity as chair of this committee—on which you serve, I say to the Presiding Officer—to listen to small business owner after small business owner pleading, saying to me things like: Senator, I never missed a payment. Senator, I always sent in my money, and they cut my line of credit. Senator, we are desperate out here. We do not have access to credit. Please help us.

One argument I have heard some others make is based on a study that came

out from the National Federation of Independent Business, the NFIB. I am going to try to get that study in just a minute because I want to respond to that. The NFIB study is quoted sometimes in this debate. Here it is here, the ''Small Business Credit in Deep Recession'' study. It is waved around on the floor by some people who are not sure how they might vote on this amendment because they have heard things. They are not sure, but they say: According to the NFIB, the National Federation of Independent Business, 40 percent of the banks say credit is not a problem. And there is some data here that is going to show that 40 percent of the banks say they were able to get all the loans they needed; 10 percent said they could get almost all the loans they needed. But the rest of the study is what is important. It is about 60 percent who say they could not get it, from the National Federation of Independent Business. Their own study showed that 60 percent of their businesses said they could not get the collateral from the banks that they so desperately need.

I know there is this little argument out there that there are no good businesses to lend to.

We all know that is not true. There are businesses in all of our districts. We are hearing from them. They cannot get credit because of new regulations, because of tightening capital ratios. This is a partnership with banks that has absolutely nothing to do with TARP, big banks, Wall Street, unhealthy banks. It has everything to do with community banks that are less than $10 billion. Those are the only banks that can even apply to be a part of this. It is completely voluntary.

If a community bank in Illinois or Louisiana—and I have talked to some—said, Senator, we are healthy; we have a lot of capital to lend, I have said to them, that is wonderful. Then you do not need to apply for this. But if you want to grow your bank in these times, then it is completely up to you. This will be available to you. You know what, they brighten up. They say, well, we did not realize that. We thought it was going to be something forced. Absolutely not. It is completely voluntary.

So for the NFIB and the 40 percent of their businesses that said they could not get collateral, this is a solution. I am very proud to offer this solution in this way. I also want to say we have letters from, I believe, almost 20 Governors who have said, please help us. We are trying to do everything we can in our State to stimulate growth and development. We are trying to do what we can. So they have sent letters, both Republican and Democratic Governors. A letter I have that I will submit to the RECORD is from February, from Christine Gregoire, the Governor from Washington State. She writes a very strong letter to Dr. Romer, our economic adviser for President Obama, to Tim Geithner, to Chairman Sheila Bair, saying, this small business lending program is what the State of Washington needs. We are full, she says, of small businesses that are knocking on our doors at the State capital that cannot get credit. We must open the opportunities for them.

If we want our States' economies to grow, which we do, whether it is Washington or California, I say to my good friend from Arizona, or from Tennessee, or from Massachusetts, the way they are going to grow is through small business.

Look at this. From 1993 to 2009, in the last 16 years—I think these numbers would be updated and it would even show more—65 percent of all new jobs in America are created by small business. When we have letters such as this from Governors who say their small businesses cannot get credit, what are we going to do? Sit here and do nothing? I do not think so. I think we should act.

One of the best ideas that has come forward from Republicans and Democrats that has been scrutinized and looked at and torn apart and put back together is a $30 billion small business lending fund that will not create a new government program. This is not lending by the government, this is lending by the private sector.

This is not lending by big banks, who do not lend—by the way, we have seen the bank lending, big bank lending to small business has declined in the last four quarters by 8.1 percent. Think about that. The banks that got all of the money in the last year of the Bush administration and the first year of the Obama administration, the banks that got all of the money, the reports show, cut lending to small business by 8.1 percent.

The banks that did not get any help, the healthy community banks in our States, even in these times have increased the lending to small business because, A, it is smart for them to do so, because when they do it right they make money, which is the whole point of them being in business, and because many of them also believe strongly in the communities in which they have built their business.

They helped build these towns. They do not want to see them take bankruptcy. They helped build the businesses on Main Street. Do you think they are happy to sit there and watch these businesses close up?

But we spent the last 2 years, the last year under Bush and the first year under Obama, bailing out Wall Street. When it comes to helping Main Street, it gets very quiet around here. I wonder why.

That is what this amendment does. We know small business creates jobs. We know there are credible small businesses in all of our States. Even according to the NFIB, even according to their own survey, 40 percent of the businesses said, we did not get all of the credit we need. If we could get it, if we could get credit from our banks, if we could borrow money from our banks, we could grow, even according to this study.

We are very proud of this lending provision in this bill. I think the whole bill is very good. Maybe there are some other amendments that need to be included, that could come from Finance or that might come from someone else. But the core of the bill, the $12 billion in tax cuts for small business, the strengthening of the small business lending programs and contracting programs and surety bond programs, which many of our Members have worked on, and this lending piece is absolutely crucial. It is one of the best things that we could do as a Congress to help small businesses find their footing, to help them get more certainty about the future.

They are the ones that are going to take the risk. We have seen the headlines in the last couple of days. If you are reading the Washington Post, if you are reading the New York Times, if you are reading your hometown newspaper, what do those headlines say? I will tell you what they say: Big business hoarding cash. Big banks sitting on $1.6 trillion in profits. They are sitting on it. They are holding it. They are not lending it.

Do you know who is lending? Do you know who is still lending, or they are trying to lend? The community banks of America. They are desperately trying to lend. And what are we doing? Sitting here not listening to them or not helping them. We must listen to them. I have letters here I have submitted to the RECORD, independent bankers, community bankers, American bankers: Please help the healthy small banks in America to do the job we want to do for you and end the recession.

When we vote on this amendment, I hope we get a strong vote. I hope people in this Chamber will not turn their backs on the small businesses in their districts and the healthy community banks that have been there for a long time. If we act responsibly, and if we join in partnership with them, and we rely on the private sector savvy that is out there, I think we can make some real headway. That is what I am hoping.

There is no silver bullet. I am not 100 percent positive this is going to work in the way that we think. But I am very confident that it has a great chance of working. Shouldn't we give the benefit of the doubt to our own small businesses and community bankers? A lot of people did not know if TARP worked. A lot of people do not think it worked today. But nobody was saying, oh, well, we are not sure; we should not do it. We rushed on out there and gave billions of dollars to Wall Street, billions of dollars to big banks.

Now when it comes to giving our community banks the benefit of the doubt, when it comes to giving small business people who have risked everything the benefit of the doubt, we are

having some trouble. I do not understand that.

As the chairman of the Small Business Committee, I promised them I would follow in the good footsteps of the former chairs of this committee: Senator SNOWE has been an outstanding chair; Senator KERRY has been an outstanding chair; Senator BOND has been an outstanding chair. They have been very strong advocates for small business in America.

When this program came across my desk, I wish I could say I designed it. I would love to take credit for it. But I did not. It was designed by other Senators. But when I saw it, I thought to myself, now this could work. When I heard the President speak about it, I thought, this makes a lot of sense. I thought, my goodness, this sounds like a good idea. The more I looked into it, I became convinced, it is not a good idea, it is an excellent idea. I am not going to leave it on the cutting room floor because of some political argument that makes no sense to me, and it should not make sense to anybody in this Chamber.

I see other colleagues are on the floor to speak. I have exhausted my 10 or 15 minutes. I am happy to yield the floor. And then, of course, I will come back to the floor, to come back to speak about this amendment. I want to say I am very proud of the support of Senator LEMIEUX, as well as a growing list of other Senators who have come forward to support this amendment and to speak on the bill.

I see the Senator from Arizona and I will yield the floor at this time.

The PRESIDING OFFICER. The Senator from Arizona.

HEALTH CARE

Mr. KYL. Mr. President, I rise simply to insert into the CONGRESSIONAL RECORD two very interesting pieces from the Arizona Republic. The first is an op-ed, a column, by Bob Robb, who is one of the most erudite columnists I have ever read. He comments on the financial regulatory reform bill saying, among other things, that this new financial stability oversight council that is created under the legislation will have total control over what a lot of banks and businesses do.

He describes this as being able to tell a company not only what capital it needs to maintain, but what products or services it can offer. It can even order a company to divest some of its holdings or lines of business, and even take over the company with the intent of completely liquidating it, and in many cases even without the ability to contest these decisions in court.

He laments the fact that there will be no rules-based regulation of capital markets anymore; predicts it will be doomed to failure, and also talks about the beginning of the end for an independent Fed, which has significant responsibilities under this law, which he believes, and I agree, are inconsistent with its primary task, the entity in our country that is supposed to take care of the monetary policy of the country.

The other piece is an article in the Arizona Republic of July 21. I will quote from the first three paragraphs:

State and university employees with families can expect to see their monthly health insurance costs rise as much as 37 percent next year, depending on the type of plan they choose.

It goes on to say:

The Department of Administration—

That is to say, of the State of Arizona—

cites Federal health reform as the reason the State's health plans will carry greater expenses and higher premiums for its members.

This is the latest example of the effect of the health care reform legislation on insurance premiums which are going to be rising around the country. But I did not expect them to rise 37 percent on our State employees next year.

I ask unanimous consent that the column by Robert Robb and the newspaper article dated July 21 in the Arizona Republic be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Arizona Republic, July 21, 2010]

AN END TO RULES-BASED CAPITAL MARKETS

(By Robert Robb)

The financial market reform legislation enacted by Congress last week ushers in a new era in the relationship between capital markets and the government.

If the country decides it was a mistake, unwinding it will be very difficult.

Until now, regulation of capital markets has been primarily disclosure-based. Investment firms were largely free to offer whatever products they wanted. The role of government was principally to ensure that there was adequate disclosure so that potential investors could make informed decisions and not be hoodwinked. Who made or lost money wasn't the government's concern, except at tax time.

The primary exception was banks whose deposits were insured by the federal government. Since the government was ultimately on the hook, it oversaw the prudence with which these banks did their business.

The conventional wisdom is that this system failed in the financial market turmoil of 2008. Financial institutions subject to lighter prudential regulation took on too much bad risk with too much leverage. These firms had become big and interconnected enough that their failure threatened the collapse of the entire U.S. financial system.

Now, I happen to believe that this narrative overstates the threat that existed in 2008. But I am part of a very small and uninfluential minority on the matter. So, for purposes of discussion, let's assume that the narrative is correct and the goal of reform should be to prevent a reoccurrence.

There are several things that Congress could have done to address the perceived threat directly. If financial institutions of over a certain size represent a systemic threat, Congress could have prohibited companies from becoming that large. In the past, the U.S. got by with smaller banks and it could again.

If excessive leverage is a systemic threat, Congress could have limited it directly.

Instead, Congress decided to vastly expand the federal government's discretionary, prudential regulation of capital markets.

A new Financial Stability Oversight Council and the Fed are authorized to prescribe individualized requirements for any company they deem to pose a potential systemic risk. The new council of wise men can tell a company not only what capital it needs to maintain, but what products or services it can offer. It can order a company to divest some of its holdings or lines of business. The federal government can even take over a company with the intent of completely liquidating it.

In many cases, the company has no ability to contest these decisions in court. Where there is judicial review, it is limited to whether the regulatory decision was arbitrary and capricious.

So, there is no real rules-based regulation of capital markets anymore. The council of wise men will make it up as they go along. Companies of the same size in the same lines of business may have entirely different rules they must follow.

There will no longer be a capital market regulated by an arms-length federal regulator, setting the same rules of the game for all competitors. Instead, there will be symbiosis between government and financial institutions, interacting continuously with one another to determine what any particular financial institution can and cannot do at any particular point in time.

This approach is doomed to failure. No group of regulators has the wisdom required to do what this new legislation requires.

Once the symbiosis is established, however, unwinding it will be very difficult. The politicization of the allocation of capital tends to be addictive.

This bill is also probably the beginning of the end of an independent Fed. The Fed cannot play this large of a role in the conduct of every major financial institution in the country without politicians seeking to get into its knickers. The role of primary systemic risk regulator is simply incompatible with that of an independent monetary policy maker.

President Obama and Democrats regard this legislation as monumental. I don't think they even partially understand how right they are.

[From the Arizona Republic, July 21, 2010]

STATE TELLS EMPLOYEES HEALTH INSURANCE WILL ROCKET

(By Ken Alltucker)

State and university employees with families can expect to see their monthly health-insurance costs rise as much as 37 percent next year, depending on the type of plan they choose.

Figures provided by the Arizona Department of Administration show that health plans for families and single adults with children will shoulder the most-expensive monthly premium increases beginning Jan. 1, while individuals will pay modest increases.

The Department of Administration cited federal health reform as the reason the state's health plans will carry ''greater expenses and higher premiums for members,'' according to a June 30 letter sent to about 135,000 state and university employees and their dependents.

The letter named two provisions that the state expects will drive health-insurance costs higher. One is a requirement that insurance plans provide coverage for dependent children up to age 26. The other is the federal legislation's ban on lifetime limits, an insurance-industry practice that cuts coverage once an individual's medical expenses exceed a set amount over their lifetime.

Because the state is one of Arizona's largest providers of health insurance, its estimates could provide an early glimpse of how large employers will pass along health-reform costs to their employees.

Industry analysts say it is too early to tell how much health reform will impact the cost of insurance. Some estimates expect the initial impact on overall cost will be less than 2 percent. Many analysts agree that the true impact won't be known until 2014, when health-insurance exchanges are established to extend coverage to the estimated 32 million Americans who now lack health insurance.

''I don't know if anybody really knows what the (impact) on costs will be,'' said Don Mollihan, a broker and consultant with Arizona Benefit Consultants. ''The entire (health-insurance) industry is trying to react to the reform as regulations are implemented. That is where the rubber meets the road.''

One example is the Obama administration's requirement, unveiled this month, that all health-insurance plans cover preventive care free of charge. Such no-charge preventive care ranges from autism screening to colorectal-cancer screening for adults over age 50 to folic-acid supplements for pregnant women.

''The preventive-care requirements could add some costs, but a lot of (insurers) are already providing those services as part of their core'' plans, said Patricia ''Corki'' Larsen, a principal with human-resources consultant Mercer in Phoenix.

Alan Ecker, Department of Administration spokesman, said health reform is ''responsible for all increases for employee premiums'' next year.

He noted that federal health reform passed after the Legislature approved funding for next year's state's health plan, so with no money left in the state coffers to cover the mandated changes to health insurance plans, the state opted to shift costs to employees.

VARYING IMPACT

The state pays for most of the premium costs, with the employee picking up a portion of the premium costs. Also, changes in premiums do not reflect other cost-shifting measures, such as increases in co-payments that people must pay when visiting a doctor or filling a drug prescription.

University and state employees who get state-sponsored coverage just for themselves won't see much of an increase in their premiums: about $1 each month under three plans offered by the state.

Increases in employee premiums for plans that cover couples and families will range from $22 to $43 a month. Single adults with children will see those premiums increase 37 percent for an Aetna insurance plan that includes a health-savings account. The Aetna family plan and the Aetna plan for two adults will also each rise more than 20 percent. Employees who choose the state's EPO and other plans similar to an HMO for families and adults with children also will see their monthly payments rise more than 22 percent.

DISPUTE OVER LETTER

Yet, even as Gov. Jan Brewer's administration cited health reform as the chief reason for cost increases, the state's health-insurance premiums for employees have increased at even faster clips in the past.

In fact, employee premiums for five of eight plans next year will increase at a lower rate than they did this year.

Some lawmakers questioned the Brewer administration's decision to send out a letter that blames health reform for the premium increases.

Rep. Kyrsten Sinema, D-Phoenix, who sat on President Barack Obama's health-reform task force, blasted the Department of Administration's letter as politically motivated.

''The Department of Administration is implying that entire increase is a result of the new health-care law,'' Sinema said. ''It is clearly a politically motivated letter that is just not factually accurate.''

Ecker, of the Department of Administration, denied any political motivation. He saw no political undertone in the letter, which was drafted by the Department of Administration's benefits-services staff and approved by the agency's director.

''It is simply designed to let members know that rate increases are coming and the reason for those increases,'' Ecker said in an e-mail.

The PRESIDING OFFICER. The Senator from Rhode Island.

NATIONAL ENDOWMENT FOR THE OCEANS

Mr. WHITEHOUSE. Mr. President, I know my friend and colleague, Senator SNOWE, is about to deliver some remarks. I ask unanimous consent that I be recognized at the conclusion of her statement. I wish to take a moment to thank her for her work with me on the bill I am going to be talking about. She will be talking about something else, but I will be discussing the National Endowment for the Oceans. While we are in the Chamber together, I express my gratitude for the collegial, thoughtful, helpful way we worked together on this bipartisan piece of legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Maine.

Ms. SNOWE. Mr. President, I express my profound gratitude to the Senator from Rhode Island for his leadership on this initiative. It will have far-reaching implications and importance to our most vital resource, the oceans, and all they represent. I look forward to working with him to transform this legislation into a reality that will protect the oceans in perpetuity and understanding and amassing all the resources that are essential to the preservation of the oceans and what they represent to our environment and to the ecosystem and, of course, to the fisheries that are so important to our respective States and to the country. I thank him for his visionary initiative. I am pleased to join him in that effort. Hopefully, we can bring it to fruition in this Congress.

There are a number of issues with respect to the small business legislation pending before the Senate, although pending in a way I would prefer otherwise, given the fact that it addresses the foremost issue facing the country today; that is, jobs and the status of the economy. The economy is not creating the jobs the American people deserve. That is why I joined across the aisle in extending unemployment benefits, because we have a very high unemployment rate of 9.5 percent, with 8 million people having lost their jobs and more than 15 million either unemployed or underemployed. We have not seen the kind of economic growth that will produce the jobs the American people deserve and create the kind of security they deserve as well.

From that standpoint, I thought it was important to extend unemployment benefits. I ultimately think it is important to do what we can for small businesses, as the chairman of the Small Business Committee indicated, the job generators in America. Frankly, I would have hoped we could have considered this legislation long before now. It is certainly long overdue. We are in July. I have been urging from the outset of the year, in January, that we should address this most profound issue when it comes to creating jobs. We clearly have to be concerned about the well-being of small businesses.

The legislation before the Senate has a number of good provisions that will go a long way in creating incentives and helping and buttressing this key component of America's economy. I regret that we are in a position where we have not been able to reach agreement allowing the minority to offer amendments, which is confounding and perplexing as well as disappointing. After all, I know the majority rules. But certainly the traditions of the Senate accommodate minority rights as well. That should mean, on the foremost issue facing the country today, the economy and jobs, that the minority would be allowed to offer a few amendments. That is all we are asking. After all, this issue has been languishing for the last 6 months. It should have taken the highest priority back in January, as I indicated; It is that important to the American people, as reflected in the historic low approval ratings of Congress. We are not addressing the key issues facing America today, and that is how we will turn this economy around and create jobs for the American people.

Here we are today in a deadlock because we are not allowed, on the minority side, to offer a few amendments. As I look back on the calendar, we had 78 days we were not either in session or voting. We could have spent all that time considering amendments for the key issue confronting America. In fact, over the last 2 weeks, since this bill has been pending, not one amendment has been offered or allowed to be offered to the small business bill. We have wasted all this time when, in fact, we could have been considering amendments. Last night on the unemployment benefit extension bill, we were able to vote on six different amendments. We had six votes last night on issues. The process worked well. That is the way it should work in the Senate, where we are supposed to accommodate a variety of positions and build consensus on the key issues facing America.

I know today we are lacking patience, when it comes to governing and legislating and reviewing issues and working with people with whom we disagree. That is regrettable. The American people understand what is happening here in Washington these days, where it is an all-or-nothing proposition. I hope we can turn the corner on this issue above all else because it does matter to the American people. It matters to people what is happening on Main Street. That is as true in my

State of Maine as it is true across the country. It is no wonder more than 70 percent of the American people think the country is going in the wrong direction when it comes to the economy—understandably so. Because they go down on Main Street and see what is happening. They see businesses closing, the anxiety that permeates not only the main streets but communities and households all across America because of the lack of job security, financial security, personal security, all of which has created a picture of anxiety and desperation on the part of so many, wondering where the next job will come from, if they lose their jobs, or whether they will get a job having lost a job. That is what it is all about.

I can't understand why we couldn't come together in the Senate, consistent with the tradition of this body, which is to consider a variety of ideas across the political aisle, build consensus, and support. The more ideas, the better. It will make the legislation certainly much improved because we will have a variety of ideas that are important when it comes to improving our economic status in America. It is disconcerting when we know that the Federal Reserve has adjusted their growth rates for the economy, lowering them because of what they anticipate in the future in terms of economic growth, unemployment, the lack of investments being made by companies today either in hiring or capital equipment. The combination has created a much more pessimistic picture for the future in terms of our economy.

Then, of course, we have the uncertainty emanating from Washington, from Congress, in terms of a variety of policies, whether it is health care, whether we are talking about increased taxes or increased regulation, as we saw with the tax extender bill, having subchapter S and increasing Medicare payroll taxes and, in fact, applying them for the first time on retained earnings which is the greatest source of capital for a small business investment. Yet we want to tax that as well. We are seeing all that uncertainty.

People say: Businesses are not sitting on their cash. Businesses won't sit on their cash, if they think they are going to make money. That is the point. They would invest. They would make the investments, if they thought the economy was going in the right direction. But they have to be more conservative, if they don't know exactly what is going to come out of Washington in terms of policies and more regulation.

I have talked to numerous business people in my State, including bankers. They all say the same thing. We don't know what is going to come out of Washington in terms of the types of policies that are going to add to the cost of business. I was talking to one individual who is in charge of a big corporation in America, making an adjustment of one facet on the close to 1,000 regulations in the health care bill. He said one adjustment already has cost him $5 million. Multiply that, and it grows exponentially. The point is, it is a challenging picture for the private sector in terms of taking steps or taking the risky steps in investing in the future for their company. They want to make sure they are making the right decisions, the prudent decisions to make money and not to lose it. That is where we come in, in terms of creating certainty with respect to our policies, not adding more in terms of taxes and spending that adds another overlay to the cost of doing business. Because they are going to be far more reluctant to take those steps that we think are necessary to turn this economy around.

That gets to the point of the pending legislation and, in particular, an amendment I know has been offered by the chairman of the committee, Senator LANDRIEU, with respect to the lending facility. It is a provision I have had a great deal of concern with respect to, this lending capacity that would be created that would extend from the Treasury to banks across the country. I know the majority leader has taken this provision out of the underlying bill, and I certainly appreciate that because I do think it is important that this facility is not included in the overall legislation. First, it has not had a single hearing with respect to the issue. In my view, it certainly does resurrect the controversial TARP that we just terminated in the bill that passed last week in the Senate and was signed by the President which is, of course, the financial regulatory reform bill. It is definitely a facsimile of that approach and that program that has created a great deal of concern.

The lending fund was debated in the House, certainly on the House floor in the House Financial Services Committee, where significant concerns were raised about the program's similarities to TARP. In stark contrast to the Small Business Committee provisions in the substitute amendment we are now considering, many of these measures certainly are going to add a great deal of concern in terms of whether we should be extending more than $30 billion to banks across the country. I hope we will rely on the key provisions in the underlying legislation; for example, raising the 7(a) guarantee rate from 80 to 90 percent and increasing and also reducing certain lenders' and borrowers' fees in the 7(a) and 504 loan program.

I am pleased those measures that were included in the stimulus plan that we passed last year resulted, as this chart indicates, in a 90-percent national increase in SBA lending since Recovery Act's passage and a 236-percent increase in Maine. It is a strong indication of the value of increasing the guarantee rate, which we have now done in the underlying legislation because those provisions expired in May. That is certainly one way of extending the lending capacity of the Federal Government through existing models that have been proven to be effective and workable, and that is a 7(a) guarantee program. As a result, in June the SBA approved $647 billion in 7(a) guarantee loans, a 56-percent decrease from May's $1.9 billion, because we allowed those provisions to terminate that were included in the stimulus bill. Had we allowed them to extend, we would have seen continuity of lending to small businesses in this country.

That is why I think those measures are extremely effective. They have already demonstrated their efficiency and their workability across the country. That is what will work for small businesses, if we were to increase those guarantee rates and reduce the lenders' and borrowers' fees. That is why I am pleased the majority leader included in his substitute a modified version of my amendment that provides $505 million in funding to reinstate the fee waivers and increase guarantees through the remainder of this year. The SBA has estimated that the reinstatement of these provisions could leverage $13.2 billion in SBA lending. This is precisely the type of effect we could have for the taxpayers that maximizes the efficiency and the return on the dollar rather than reincarnating the speculative nature of TARP. These appropriations, coupled with the SBA lending provisions in the substitute amendment, will raise the maximum 7(a) and 504 loan limits from $2 million to $5 million and the maximum microloan limit from $35,000 to $50,000, which play an invaluable role in providing affordable credit to small businesses.

Obviously, when it comes to expanding access to capital, Congress must work in tandem with the administration and the Treasury Department. Let me begin by noting that I appreciate the hard work of individuals in the Department of the Treasury in trying to develop methods to spur small business lending. I understand how complicated it can be to devise workable, strong initiatives. The department has certainly attempted to do so. Unfortunately, I continue to have significant reservations with the lending fund for several reasons.

First, regardless of what the proponents will say about this lending fund, it is essentially an extension of TARP, known as the Troubled Asset Relief Program, which, as I said earlier, has been terminated in the financial regulatory reform legislation the President signed into law just yesterday.

But let's look at what some of the experts have to say on this particular issue. In a May 17, 2010, letter that Mr. Barofsky—who is the special inspector general of TARP—wrote to Members of the House of Representatives, he states:

> . . . in terms of its basic designs, its participants, its application process, and, perhaps its funding source from an oversight perspective, the [small business Lending Fund] would essentially be an extension of TARP's CPP program. . . .

Moreover, in its May Oversight Report, the bipartisan Congressional Oversight Panel for TARP states that the Treasury lending fund ''substantially resembles'' the TARP program. They say:

. . . it is a bank-focused capital infusion program that is being contemplated despite little, if any, evidence that such programs increase lending.

''An extension of TARP'' and ''substantially resembles'' TARP—that is how the experts of all things TARP—TARP's IG, the inspector general, and the bipartisan Congressional Oversight Panel—characterize this program. So obviously we are talking about the experts who are the watchdogs of the TARP, and they say that regardless of how you want to describe this program, it is what it is. It is an exact duplicate of TARP. That is what it is.

In addition to characterizing the Treasury lending fund as TARP, we had three Democrats and two Republicans on the Congressional Oversight Panel who also laid out a series of substantive concerns with the program. I would like to outline these for my colleagues as well.

First, the panel explained that the Treasury lending fund will be ''less relevant if declining business sales play a larger role in lending contraction than banks' rejections of loan applications.'' What does that mean? Well, it means that although lending contraction remains a significant concern, the root cause of that contraction may primarily be a lack of demand because borrowers are not as interested in taking on debt until their sales increase as opposed to banks' mere unwillingness to make loans they otherwise should be making. As the NFIB has long maintained, ''What small businesses need most are increased sales, giving them a reason to hire and make capital expenditures and borrow to support those activities.''

Secondly, according to the bipartisan Congressional Oversight Panel, the program will likely be branded with a TARP stigma, which will diminish banks' willingness to participate.

Third, additionally, the Congressional Oversight Panel has also concluded that the Small Business Lending Fund may reward banks that would have increased their lending even in the absence of government support, as the fund's incentive structure is calculated in reference to 2009 lending levels, which were low by historical standards.

I know the proponents of the lending fund may try to disagree with Mr. Barofsky and the bipartisan Congressional Oversight Panel's comments, but in doing so they will be arguing against the experts established to oversee TARP in the first place.

Moreover, it is not as if we are talking about partisan entities here. Again, the Congressional Oversight Panel is comprised of three Democrats and two Republicans, who have collectively agreed to include these statements in their report.

There are other unintended consequences that may result from Treasury's Small Business Lending Fund, which certainly raises a red flag for me. It is possible that instead of promoting quality loans, the proposal could encourage unnecessarily risky behavior by banks. The Treasury Department proposes to lend funds to banks at a 5-percent interest rate, which then can be reduced to as low as 1 percent if the institutions in turn increase their small business lending. However, if the banks fail to increase their small business lending, the interest rate they would pay could rise to a more punitive rate of 7 percent. Well, this could lead to an untenable situation where banks would make risky loans to avoid paying higher interest rates—a behavior known as ''moral hazard.''

Some have argued that the banks will not engage in risky behavior because they will remain liable for the underlying debt. We know that certainly was not the case with the mortgage crisis that got us into this economic mess in the first place. So in the final analysis, the possibility that this program could lead to poor lending decisions is something that, in the long run, will not help borrowers, lenders, or our overall financial system.

Incidentally, proponents of the lending fund highlight that several major banking associations support this initiative. Well, that would not be surprising. Who would not support receiving millions upon millions of dollars from the Federal Government at a 5-percent interest rate that could be reduced all the way to 1 percent? While I am in no way questioning the bankers' motives, I do point out that they are not viewing this from a perspective of objective third parties.

Moreover, it does not alleviate my concerns, and that is, obviously, the public's interests when it comes to issuing more than $30 billion of taxpayer funds.

Another key concern of mine is about the cost of the administration's lending fund. I am very apprehensive about whether Congress has taken into full consideration the program's true cost to the taxpayers. The previous scores for the Small Business Lending Fund are convoluted, to say the least. I say this because there are three different methodologies that the Congressional Budget Office has discussed when scoring various versions of the lending fund—specifically, the Federal Credit Reform Act of 1990 estimates, cash-based estimates, and fair value basis estimates. So those are the three different methodologies.

In the House version that was reported by the House Committee on Financial Services, the lending fund was scored by the Congressional Budget Office as costing taxpayers $1.4 billion. That level was determined by using the Federal Credit Reform Act of 1990 scoring. That Federal Credit Reform Act methodology is used when there is a disbursement of funds by the government to a non-Federal borrower under a contract that requires the repayment of such funds. In other words, the Federal Credit Reform Act methodology is used when scoring loans.

After this score was released, the House modified the lending fund to eliminate a requirement that the funds be repaid. Of course, there is every intent that the funds will be repaid, and in an effort to make this certain, the dividend rate that banks pay rises to a punitive 9 percent after 4½ years. But there is no absolute requirement to repay the loan.

Well, this change had two effects: First, it allowed the banks to treat the money it receives as an investment as opposed to a loan and therefore to count the funds as tier 1 capital, the core measure of the bank's financial strength. Second, it allowed Congress to claim that these are not loans, although for all intents and purposes they are, so that the bill can be scored under a more favorable cash-based estimate.

Once these adjustments were made, CBO issued another score that examined the lending fund as revised. The lending fund provision we are discussing today remains virtually identical, for scoring purposes, to how it was in that revised version that passed the House. That score is based on a cash-based estimate rather than the Federal Credit Reform Act because the funds were no longer considered as loans. Under a cash-based estimate, CBO listed the official score for the lending fund as raising $1.1 billion over 10 years. So this is the official score that has been touted by proponents of the lending fund. However, what they fail to mention is that very same CBO score stated that ''Alternately, the potential costs of the [Small Business Lending Fund] under [the House legislation] can be measured using procedures similar to those specified by [the Federal Credit Reform Act] but adjusted for market risk—as is specified by law for estimating the cost of the Troubled Asset Relief Program.'' This was referring to a fair value basis estimation. CBO goes on to note that when measured in this manner, the score would be a $6.2 billion loss.

Incidentally, to ensure accurate accounting, the legislation that created TARP required that it be scored using a fair value estimate. So in that case, it would cost—if you were to use the same estimate—it would be a $6.2 billion loss as opposed to a $1.1 billion gain in revenues, as the pending amendment suggests.

So putting this all together, we have the Federal Credit Reform Act score which highlights that if these were treated as loans—which for all intents and purposes they are—this program would cost taxpayers around $1.4 billion. But because of a change to not technically or officially require that the funds be repaid, it is now scored under different methodology, on a cash

basis, as a $1.1 billion revenue raiser, which is what the underlying pending amendment does. Moreover, CBO expressed that if it were scored on a fair value basis, the program would score as costing taxpayers $6.2 billion.

What does CBO state about which of the three scoring methods is more comprehensive? In the score, it states:

> Estimates prepared on a ''fair-value'' basis include the cost of the risk that the government has assumed; as a result, they provide a more comprehensive measure of the cost of the financial commitments than estimates done on a [Federal Credit Reform Act] basis or on a cash basis.

So I ask the question, when I hear colleagues claim this is a $1.1 billion revenue raiser, is that accurate? Shouldn't we be concerned that this may not truly be the investment they are claiming? And critically, has all of this been taken into consideration when weighing the effects of this program on the Federal budget and when evaluating the efficacy of this program and utilizing it as an offset in the underlying legislation?

So I am concerned with various aspects of this pending amendment that creates this lending facility for more than $3 billion. In my conversations with Treasury officials, I stressed how critical it was to reach out to colleagues on both sides of the political aisle prior to having introduced this piece of legislation and before advancing and championing it here on the floor of this Senate to obtain input on how to devise lending funds in a way that would address the concerns I have raised and to structure it in a way that could achieve broad bipartisan support. Unfortunately, that did not happen, and this, of course, produces the amendment that is pending here today.

Also in my conversations with Treasury officials, I was under the impression this was going to be addressed through the Senate Banking Committee. That was the other issue I raised. I think, after all, given the fact that this is a banking initiative—it is the lending of more than $30 billion to commercial banks across this country—clearly the Senate Banking Committee should have been involved in examining this issue, that it should have been thoroughly reviewed and vetted and whatever objections existed on both sides of the aisle could have been examined and hopefully resolved. I would have been happy to have had an opportunity to discuss this issue in a way that could have alleviated and addressed these concerns.

Let's not forget this is a brand new program, the nature and magnitude of which is more than $30 billion, which justifies a thorough evaluation and certainly those that have been raised by the Congressional Budget Office in the variety of methodologies that can produce either a $6.2 billion loss or a $1.1 billion revenue increase.

The point is we are not using a true, accurate estimate of what this lending facility will ultimately cost the American taxpayers. If you would use a similar methodology as they did in TARP—which this is a TARP facsimile in terms of duplication and a reflection of TARP—then clearly you have to use the same method of addressing how this legislation either is costing the taxpayers money or is raising revenues for the taxpayer.

It is clear, if you use the fair cash basis estimate, the fact is, it would lose the taxpayers money because you have to take into account all the risks that will be involved during the life of the loan, and that is totally excluded on the estimate and the analysis of the method that was used in the pending amendment.

I outline all of these concerns because I do think it is important for my colleagues to consider very carefully the implications and the ramifications of this lending facility. It is a new program. It is similar to TARP. And it is not just my saying so; as I said, it is the inspector general who oversees TARP, the Congressional Oversight Panel that oversees TARP, which have all expressed that it has similar and equivalent features to the Troubled Asset Relief Program that we have just terminated in the financial regulatory reform program. It is a concern, and again, it is what the TARP experts call an extension of TARP. They call this lending fund an extension of TARP because it has all of the components of TARP.

So I think we should be very circumspect and hesitant about utilizing a similar program at a time in which we have to minimize the expansive nature of government programs in the spending that occurs here in the Senate, in the overall Congress, and on the part of government. I think it is important.

I have heard that when it comes to the TARP program, that money was distributed to small and medium-sized institutions. But according to the Congressional Oversight Panel, by December 31, 2009—which was the deadline for Treasury's capital purchases—20 percent of all TARP funds did go to small and medium-sized institutions and 98 percent of all recipient institutions were small and medium-sized institutions.

It is not whether a bank is good and that is why we should lend this money. Obviously, there are excellent community banks that do a great job; they did not contribute to the problem all across America. It is really a question as to whether this is good policy. That is the bottom line. Is this good policy? It raises a number of questions. It raises the specter that we are really recreating TARP in another manner; it is just directed to different institutions. I think we have to be very careful and cautious and prudent at this time.

Is there another way to extend the lending capacity of the Federal Government? Yes, there is. It is through the small business lending programs which I talked about earlier, and the majority leader has included some of the provisions that I and the chair recommended, which is to increase the guarantee rates that have demonstrated their effectiveness, that have demonstrated their workability. They work. They have increased lending across this country by more than 90 percent and, in my State, 236 percent. It has demonstrated its capacity for working. So why not use those models we have adopted in the past and that have proven their effectiveness?

I think that is what it is all about. How much can we do? Well, we know we are limited in terms of what we have as far as deficits and the national debt is concerned. So I think we have to be very prudent about how we extend taxpayer dollars.

I have a great deal of concern in terms of, No. 1, not only spending the $30 billion but the cost to the taxpayers if we use an accurate, realistic measurement similar to what CBO had indicated and similar to what was used in TARP; and, No. 2, how that legislation works because it creates a perverse incentive. It increases the interest rates to those banks that don't increase their small business lending but decreases it for those that do. So we do encourage the prospects of moral hazard and the likelihood that poor, risky loans might be made because of the fact that their interest rates will be reduced as a result. So I think we have to be circumspect about that.

I hope we do not accept this lending facility because I do believe it does raise serious and significant concerns and that it is duplicative of TARP. I think we need to be moving in a different direction in this country. Also, there are a number of issues that have been raised that cannot be addressed. I hope we could, rather, build upon the underlying amendment, the substitute amendment to be offered by the majority leader; allow for some amendments from both sides of the political aisle so we can strengthen the legislation that is before us with respect to providing incentives, tax breaks, and tax relief to small businesses that rightfully deserve those initiatives so we can incent them to create jobs and to feel certain about their futures as well as this country.

So with that, I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I have the floor by virtue of a previous unanimous consent, but I understand the Senator from Louisiana wishes to say something briefly while Senator SNOWE is still on the floor. So I would be happy to yield. I would be happy if I could have the floor returned to me at the conclusion of their exchange.

Ms. LANDRIEU. Thank you, Mr. President. I will just be 30 seconds.

I will respond to the comments made by my ranking member. She and I have worked so closely together, and we just have a difference of opinion about this

one particular piece of this bill, which is an important piece, so I will respond to her comments in a minute.

I do agree with one thing she said, which is there could be other amendments offered to maybe make this bill better. But I wish to ask my ranking member through the Chair: This amendment is pending. We are going to vote on this amendment. This amendment could potentially get 60 votes plus. If this amendment is voted in by the will of this Senate, even though she has reservations about it which she has beautifully outlined—as she always does—but if this amendment is on the line and let's say other amendments are offered and some pass and some fail, is she inclined to vote for the bill? This is the only question I am going to ask her.

I will restate it. I said to the Senator from Maine, with whom I have worked very well—we have worked together, but we have a different view about this particular program.

This is an amendment. I agree with her that amendments should be offered on this bill. I am hoping our leadership can work that out. If this amendment is agreed to by 60 plus—we may get 70 votes for this amendment; we don't know. We are picking up support for it. Although some people are opposed, we are getting a good amount of support for it. Does the Senator from Maine believe she could then vote for the bill?

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Mr. President, first of all, I hope that we could offer other amendments as well in addition to this. I think that is critically important, first and foremost. Just as you have had an opportunity to offer an amendment, our hope is that on our side of the aisle, we would have the ability and the prerogative to offer amendments as well, and then we would look at it at the end of the day. Obviously, I know the Senator from Louisiana feels very strongly about this amendment. Obviously, I have some deep concerns. I certainly hope to support this legislation without this amendment, but if it is the will of the Senate, then obviously I will continue to support it and hopefully we can move forward.

But I just think it is critically important with respect to this particular initiative that a number of these issues have to be addressed. In the final analysis, when we are talking about $30 billion, we can't do that lightly. Certainly, there are a number of issues that have been raised, ones that I have raised today, that clearly would have to be resolved in my estimation.

So I think from that standpoint I would have considerable concerns if it were left in that manner because I think it raises the costs to the taxpayers indisputably.

Secondly, as to whether it is going to create risky behavior on the part of banks that are assuming this legislation, and if it does add costs to the taxpayers, we have to think about that very carefully because, as my colleague knows, it does raise $1.1 billion, at least according to your projections. But if we use a true realistic analysis, as we did with TARP, it would cost the taxpayers $6.2 billion.

Ms. LANDRIEU. Mr. President, I thank the Senator for those comments. She has left a window of opportunity open for, hopefully, some compromises as we move through the amendments on this bill.

I yield back the floor to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, into this arena of discord and division, I rise to bring happy news. But first I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. WHITEHOUSE pertaining to the introduction of S. 3641 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Ms. LANDRIEU. Mr. President, I appreciate the opportunity to get back to the issue at hand, which is the small business bill, a job creation bill for America. It is something that many of us have worked on now for over a year.

This bill has been developed by the work of many committees, both in the House and the Senate, over a long period of time—primarily the Small Business Committee and the Finance Committee, but also members from the Banking Committee and other committees that have been very much giving their input into this final product, which is in its final stage of passage.

This bill passed the House recently with these major components—a very strong, targeted tax cut for small business. The Chair knows how important that is to small businesses in Minnesota that are watching additional regulations come upon them—some for good reasons and some not for good reasons. They are looking at an increased cost of capital. They need tax relief. This bill provides that because of the good work that has come out of the Finance Committee. Out of our Small Business Committee, as the ranking member so eloquently expressed and outlined, came some key measures in the bill that will improve the core programs of the SBA—an agency that is well supported here, particularly on the Democratic side, and even with some Republicans who are supportive of that agency. We believe that by strengthening their programs, we can be of some help to small business in America.

The debate right now is on the small business lending fund. I have the greatest respect for my ranking member. We have a disagreement on this particular provision. I want to respond specifically to some of the criticisms of the program.

First of all, in her arguments against the program—but before I go into that, I want to say how pleased I was to hear—and I believe that the transcript will show this—that she said should this amendment get on with 60-plus votes, and other amendments are potentially offered, she is supportive of the bill. She has some specific suggestions as to how this program could be made better, in her opinion. Maybe we can come to some terms on that. I believe that, in good faith, on major bills such as this we should consider amendments, if we can. This is one of them. This is the first amendment, a bipartisan amendment. Senator LEMIEUX and I are sponsoring this amendment along with over a dozen other colleagues. Senator CANTWELL has been a tremendous advocate of this program, as have Senator MERKLEY from Oregon, Senator MURRAY from Washington, Senator KLOBUCHAR from Minnesota, Senator NELSON from Florida, and Senator SCHUMER. They will come to the floor later this afternoon.

We have a growing list—bipartisan list—with Senator LEMIEUX and myself and others supporting this small business lending program.

Let me try to answer specifically some of the concerns the Senator from Maine expressed. She said there have not been any hearings on this program. There were two House hearings on this initiative. I am going to get the date for the record. But there were two hearings on this specific small business lending program. In one of those hearings, which I will submit—the House markup—there were more than 16 amendments discussed and debated and offered. So I don't want to leave anyone with the impression that this small business lending program did not receive congressional hearings. It has.

This has also received the attention of the Nation, because the President himself spoke about it in probably one of the most highly publicized speeches a President can give, which is the State of the Union. He spoke to the small businesses of America and to the small healthy banks, and said we are going to try to craft a program to be your partner, to work with you, to get jobs created in America. So this has been discussed in hundreds of press conferences, two congressional hearings, and any number of Senators—particularly I want to say, Senator MERKLEY, Senator BOXER, and Senator CANTWELL have spent hours and hours and hours of their time—days, weeks and months—on this provision, trying to work through any particular arguments that others might have.

I want to put that argument to rest. There have been hearings. I have conducted in my committee probably a dozen hearings on related subjects. I could fill this desk with paper, which I will not do and burden the clerk, with letters and comments and e-mails and testimony from hundreds of business owners who say they can't get capital. Our small businesses need help. We

want to work with our community banks. They ask: Why are you sending all of this money to Wall Street? We need some help right here on Main Street.

Also, the second argument the Senator from Maine made—and again, I have the greatest respect for my ranking member, and she is a good friend—is that she is concerned because the ''watchdog'' does not like this program and thinks that it might be like TARP—the congressional watchdogs. I don't know those watchdogs. I haven't met those watchdogs. I have seen their report, which is here, the May oversight report. I could give you a few summaries from this—that they are not sure this program would work, but maybe we should give the benefit of the doubt to our community bankers, whom we know and trust, and our small businesses.

Ms. SNOWE, the Senator from Maine, for whom I have a great deal of respect, was speaking earlier about this provision that is pending before the Senate. It is a small business lending fund. Those of us offering this amendment believe it is time for us to get a focus on Main Street, to take our eyes off Wall Street for a minute and start focusing on Main Street, our small community banks that are trying to do their best to not only stay in business and make money, but they helped in many ways to build the towns and communities, and they are watching the businesses they lent money to close their doors. We would like to be a better partner with these community banks, in a strategic partnership, to help get money to Main Street businesses.

Senator SNOWE is saying she has some reservations about this provision, and she outlined about five or six reasons she is not enthusiastic to support it. She said, one, that there were not enough congressional hearings or were not any congressional hearings. For the record, there were two hearings on this issue in the House. They were on May 18 and May 19. There were amendments offered. There was full testimony and full debate. There have been congressional hearings on this proposal. It is a relatively new proposal. It has been changed since it was first talked about over a year and a half ago. In my view, it has been greatly improved, greatly strengthened. There have been congressional hearings.

As I said, there has been a tremendous amount of attention on this issue. The President himself spoke about it in his State of the Union Address. It has been debated in many different ways over the last year.

No. 2, the Senator said her analysis is that this bill will not save $1.1 billion; it will cost $6 billion. I do not know the analysis she conducted. I have great respect for her ability to analyze numbers and understand details. She is one of the best around here. All I can tell my colleagues is, the group we go to, the agency, the authority on scoring that both Republicans and Democrats acknowledge as the authority on scoring has said this bill will save $1.1 billion over 10 years. That is the official CBO score that I am going to submit for the RECORD. Other people can do a different analysis. That happens around here sometimes. But when it comes down to the bottom line, the Congressional Budget Office is the only score that matters—Mr. President, you know that—and it says this bill earns, saves over 10 years $1.1 billion.

The third argument the Senator made is that the congressional watchdogs are not sure this program will work. This is their report. It is the May oversight report, ''Small Business Credit Crunch and the Impact of TARP.'' She put up a chart that said TARP-like. This is where that came from.

The congressional oversight report said this program, in their view, might be like TARP, and they are not sure there are any creditworthy businesses in America. That is what this watchdog said. They are not sure there are any businesses in America that are creditworthy to lend. That might be their opinion, but I am a Senator from Louisiana. I am listening to my small businesses. I see my small businesses. Many of them are creditworthy, and they most certainly, with a little bit of help from local community banks infusing capital into their business, could grow and expand.

Don't take my word for it. Let's see what Chairman Bernanke says. Chairman Bernanke said—and this was on July 12, 2 weeks ago:

> It seems clear that some creditworthy businesses, including some whose collateral has lost value but whose cash flow remains strong, have had difficulty obtaining credit that they need to expand.

This is what the Chairman of the Fed says. He is obviously in a position to see what banks are lending, what banks are not, what he is hearing, he is listening, he is traveling. Maybe there are a few watchdogs and appointees in Washington who are having a little difficulty figuring this out. But if you go to the real streets, if you go to the Main Streets, if you get out of Washington and out of the beltway, you are going to hear many hundreds, thousands of small businesses—and the Chairman himself said there are many creditworthy businesses out there that are having a hard time getting capital. That is what the small business lending program does.

Mr. President, you have heard it yourself. In all our States we are hearing that. Those were some of the arguments the Senator made. I was pleased to hear her say that should the Senate vote on this amendment and get 60-plus votes—which, as we all know now is the way the Senate operates, not by a majority but by a supermajority—if 60 Senators say this is something they want to do to help Main Street, to help small businesses—this is not about Wall Street, it is not about bailouts, it is not about troubled assets, it is not TARP, it is a small business lending fund, a strategic partnership with community banks—if 60 of us say that, then she could be persuaded, if that is the will of the Senate, to pass the bill because there are other portions of this bill that are extremely important as well.

I reiterate the important support we are picking up and to state for the record again the testimony by many business owners. This one comes from Steve Gordon, president of INSTANT-OFF, Inc, in Clearwater, FL, not from Louisiana but from Florida. He writes:

> I am the owner of INSTANT-OFF. We make water-saving devices for faucets. INSTANT-OFF replaces the aerator on any faucet, and each unit can save up to 10,000 gallons a year. Our market potential in the U.S. is estimated at 50 million units and globally between 100 million and 200 million. We can create 25 green jobs now. Twenty-five percent of those jobs will be people with disabilities. None of these jobs will be created without capital if I can't get the loan.

This is a common refrain, whether it is businesses in Florida, Minnesota or Louisiana. All they have are their credit cards which are maxed out. All they have are their credit cards that charge them 12, 16, 18, 24 percent. All these small businesses have is equity in their houses or they did have some equity in their homes to borrow against to start or maintain their businesses. They have seen their home equity diminish considerably. The bank calls them and says: Joe, your house was worth $400,000. We had it as collateral backing up your $200,000 line of credit or $300,000 line of credit. Now your home is half the value. I need to call your line of credit.

Are we not listening?

This small business lending fund, $30 billion, is going to help healthy small banks of $10 billion or less. Goldman Sachs cannot even apply for this money. AIG cannot apply for this money. National banks cannot apply for this money. These are community banks that we know, as the Senator from Florida said, are at our Rotary Clubs, they are at our Kiwanis Clubs, they are at our business owners banquets and luncheons. These are the community bankers we know and trust and they know the businesses in their areas and we know them in our districts and in our States.

The question is: Will the Republicans stand with a majority of Democrats and vote for small businesses? This is the New York Times. This is terrible. I see my friend from South Dakota in the Chamber. This is a terrible headline for his party: ''Senate Democrats' Plan to Aid Small Businesses Hits GOP Resistance.''

This is CQ Today: ''Democrats Plan to Make Republicans Vote on Small-Business Lending Fund.'' We did not have to have this vote. We have been forced to have this vote. Why would we even want to have a vote? After everything we have done to bail out Wall Street, we now come to a plan to lend

money to Main Street and I have to hear from Republican leaders who say no.

''Senate Set to Pass Small-Business Bill.'' The reason we are in this deadlock is because Republican leaders, such as my good friend, have decided that we cannot, after all this, after TARP that was designed by President Bush, extended by President Obama to bail out Wall Street and large banks, now we have to hear: I don't know. We have either run out of energy or run out of will to help Main Street and small businesses.

Mr. BEGICH. Will the Senator from Louisiana yield? I ask the Senator to yield for a minute.

Ms. LANDRIEU. Yes.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. BEGICH. Mr. President, I wanted to come to the Chamber. I was watching on the floor last night, and I watched the Senator a little bit ago as I came out of a meeting. I am not scheduled to be here. But as a small businessperson all my life—my first business license was at age 14. My next big venture was at age 18. I have been in the vending business, the real estate business, the developing business. I have been a restaurant owner. I can go through a shopping list. My wife owns four retail stores, a small business woman. She started her business selling smoked salmon on a street corner in downtown Anchorage. She now employs 30-plus people, multiple stores, and works to engage other young, small business people to move forward.

There is no question that the legislation the Senator from Louisiana has been working on—the broader issue on small businesses but specifically the loan fund—is critical. She is right.

The Senator's point about how the big banks got theirs and left the small business community literally, not on Main Street, not even close to Main Street—they were kicked off Main Street. I thank Senator LANDRIEU for making this a big issue, pushing forward on it, and also working with Republicans to try to bring them over. It sounds as if she got one so far. I think he has made the right decision. He has seen the impact on small businesses in his communities.

The Senator from Louisiana was on fire last night, I have to say. She was making the point that this is the time to stand for small businesses because they are the ones that are going to rebuild this economy, they are the ones that are going to hire people not next year, not 3 years from now because they want to hoard their profits. They are going to, as the economy recovers, hire immediately.

The small businessperson who has two or three people working for them and their business increases 10, 20 percent, the odds are they are going to hire someone the next day.

That is the power of this lending act, this amendment that is critical. I want to emphasize that point and thank my colleague because, as one of the few small business people in this body, one who has had to knock on those bankers' doors to try to get a few dollars out of them to take a dream and make it reality, or one who has seen small business and helped them expand, I again thank you. This is going to have the biggest bang. As to the $30 billion, no one is forcing it onto these community banks either; it is an option. If they want to help small businesses—I know many come to your office, come to my colleagues on the Democratic side—$30 billion leverages to $300 billion. This is a real economic boon and a real opportunity, and is going to build small businesses.

I thank my colleague for giving me these couple of minutes. I thank the Senators from Florida for teaming up and also recognizing the value of this.

Mrs. LANDRIEU. I thank the Senator from Alaska. I am extremely grateful to both Senators from Florida, Senator LEMIEUX and Senator NELSON, for their support. We all come here as members of political parties. Some of us come as Independents. But at the end of the day we are here to represent our States. We are here to represent the people who sent us. These Florida Senators are moving around Florida, as my friend is moving around Alaska, as I am moving around Louisiana. We know you cannot go anywhere in this country, from Alaska to Florida—and that is about as far as we can get, from Alaska to Florida—and not hear of the pain and the fear. It is not just pain, it is downright fear on the part of a small businessperson who does not know when their next paycheck will come.

Every Monday morning they go to their small business with three or four employees, they turn the lights on, they crank up the computer, and they look in the eyes of people with whom they have worked shoulder to shoulder and they are thinking, Can I pay them this week?

Is anybody not hearing this? I am hearing it. The Senator from Alaska is hearing it. The Senators in Florida are hearing it.

What are we going to do, close our ears and walk away, go home for the August recess and say I am sorry, we can't do anything, after we have spent a year and a half since President Obama has been elected, sending billions of dollars to Wall Street, billions of dollars to the automakers, and now it comes time to spend $30 billion—not $700 billion, like TARP, not the billions that went to the automobile dealers—$30 billion? It is a lot of money, but not relative to that—to our community bankers whom we know by name. Clyde White was in my office yesterday. Bob Tailor was in my office yesterday. I know these men and women. I trust them. These are healthy banks. They did not have derivatives in their portfolios. They did not lend to people they did not know. They did not do the subprime lending.

Now it comes time to help them and I have to hear from Republicans that we cannot go there because it might look and smell like TARP. Are they afraid of their own shadows? I don't care what it feels like. It is what it is. This is not TARP.

The newspapers are starting to say, ''GOP Resistance.'' I am not even sure why the Republican Party would be against this. Someone said to me: Mary, maybe it is because they don't want anything to succeed so things will be so bad.

I said I can't imagine that.

We have to do what we can. I understand other people say the other parts of the bill are very good, they are very important. Let me tell you about the big picture. There are two other parts of this bill. One is a $12 billion tax cut part. The other is at the most, if the programs that Olympia and I put together, and we did it as a team—if they work, the experts, say that it will leverage $30 billion in lending—$30 billion. So we have $12 billion in tax cuts, $30 billion—that is $42 billion. That is a lot of money, two parts.

This part, if this part works—which is why I am fighting for it—it is $30 billion but it will leverage $300 billion. This is a big part of this bill and I am not going to leave it on the cutting room floor without a real hard fight.

Yes, there are three parts. There are two important but small parts and then there is one core big part. For some reason the Republican Party leadership is saying we don't like this big core part. We want you to go with these two parts.

I am saying, you know what, I am not going to do that without a fight, so this is the fight. This is the debate.

I want to say I am very thrilled to hear we are winning because we just got a statement from GEORGE VOINOVICH, who was not on the amendment, that says:

> There is real need out there to provide some money to some of these businesses and get the banks back involved. We've got to start doing something. Voinovich dismissed claims by fellow Republicans, including Snowe and Republican Leader MCCONNELL, that the lending program resembles TARP because it involves Treasury Department loans to banks. Republicans have named it TARP, Jr. ''I don't buy that,'' Voinovich says. ''It's just messaging.''

Thank goodness we have some Senators who can cut through, who are not afraid, who are very direct. VOINOVICH is one of them.

I think we are going to win this fight. I don't know when the vote is going to be but I believe we are going to win because the facts are on our side.

Having said that, I want to go back to some things that Senator SNOWE said because she is one of the most studious and reliable people. People do follow her. She gave a very good presentation—even though I am opposed to her position.

I want to say there were three arguments. There were six she made. There were three I want to counter right now. She said there were no congressional hearings. There were two in the House.

She said her estimate was it would cost $6 billion. That might be fine, I don't know. But the only estimate that counts is from CBO and it is $1.1.

She said the report of the watchdog—whoever they are, and I am going to find out, May oversight watchdog, said they are not sure the program is going to work. But the Chairman of the Fed, who should know—he is following this pretty closely—said—and I will provide that to the RECORD—said that it is clear, on July 12, ''it seems clear to me that some creditworthy businesses, including some whose collateral has lost value but whose cash flow remains strong, have difficulty obtaining the credit they need to expand and in some cases even continuing to operate.''

Those are three rebuttals to specific criticism.

I also want to say I am happy to hear that if this amendment does get on the bill—there will be other Senators coming down to talk about this later this afternoon—that there might be a willingness, if potentially other amendments could, potentially, be offered, to keep this in this important bill. This is an important piece of this bill. It is not something that we should leave on the cutting room floor. The House has already voted on this. The President spoke about it in the State of the Union. Every small community banking organization, as well as the ABA, the American Bankers Association, supports it.

They didn't support TARP. They didn't even like TARP. They lobbied against TARP.

The big banks liked TARP because they got all the money, but the community banks—my community bank hated TARP. They didn't want anything to do with it. Do you think they would write me letters of support? They were furious with me when I voted for it. Do you think they would write me letters of support, which I have, saying they are for this program if it was like TARP? I don't think so.

I trust my community bankers. I trust my small business people. I don't know what to say about a congressional oversight group that says they are not sure it will work. Heavens, maybe we should give them the benefit of the doubt.

That is what we are talking about. Again, I hope this will be a bipartisan bill. ''Community Bankers Support Small-Business Jobs Bill.''

''Senate Set to Pass Small-Business Jobs Bill.''

These are headlines this morning. This headline, ''Democrats plan to make Republicans vote.''

I didn't want anybody to have to vote on this. I didn't believe we should vote on it because it makes so much sense, but, because the Republicans want us to vote on it, we are going to vote on it. I wouldn't want to vote against small business if I were them, but maybe they do.

''Senate Democrats Plan Aid to Small Businesses Hits GOP Resistance.''

These are not good headlines for the other side. But we will see how debate goes. And let me put up the independent bankers. These are 5,000 community banks. We have them in all of our States: Independent Community Bankers of America.

Senator MCCONNELL came to the floor today and said he doesn't like this program. He thinks it might be like TARP. I think I have explained that today, why it is not like TARP. But let's see what the letters to Senator MCCONNELL's office are saying. This is a letter to Majority Leader REID and Minority Leader MCCONNELL from the Independent Community Bankers of America:

> On behalf of the nearly 5,000 Members of the Independent Community Bankers of America, I write to urge you to retain the Small Business Lending Fund in the Small Business Jobs Act. The SBLF is the core component of this legislation and the provision that holds the most promise for small business job creation in the near term. Failure to even consider the SBLF in the Senate would be a missed opportunity that our struggling economy cannot afford.
>
> The nation's nearly 8,000 community banks are prolific small business lenders with the community contacts and underwriting expertise to get credit flowing to the small business sector. The SBLF is a bold, fresh proposal that would provide another option for community banks to leverage capital and expand small businesses credit. The $30 billion fund could be leveraged to provide as much as a $300 billion line of credit.

We have letter after letter. Let me say one thing because I anticipate my good friend from South Dakota is going to be here to speak against it so I want to say this so he can hear me. If the Democrats had taken the same $30 billion—which we had some support on our side to do direct lending. You know the difference. We could have given $30 billion to the Treasury through SBA. We could have done direct lending. There is a lot of support for that. I have letters in my office that say don't give it to the banks because we are not even sure we trust the small banks. We know we don't trust the large banks. Nobody is giving us money. We think the government could give us money.

I said, as a Democrat I might be open to that but I don't think I could get one Republican vote if we did a direct lending program because they will stand up and say: There you go again, giving money to the government to lend.

So I say to my people who are dying for this direct lending: No, we can't do direct lending because I don't think we could get one Republican vote.

I said: You know what might work is if we let the private sector do the lending because they worship at the altar of the private sector on every bill, every day. So I say to the people over here: I know that you think direct lending would be better. It might be better. I have letters from business owners who are actually mad at their community banks because their community banks are pulling, so they are saying, ''Senator, don't give the money to the community banks,'' but I am trying to find a compromise. So I think, OK, we will structure the program so we go to the private sector to lend.

They still come to the floor opposed to it. So the only conclusion I can come up with is they don't want to lend money to small business because they either don't think small business needs it, they don't trust their community bankers to do it, they don't trust the private sector to do it, or they don't think there is any demand out there. I am going to point again to the NFIB study, which is the most conservative organization in America, that says in their own study that 45 percent of the businesses—their own members report—are not able to get all their capital.

I don't know what else to say. Maybe that headline is correct: ''GOP, Temporarily Lost Their Way.'' I don't know.

I see my colleague from New Hampshire on the floor. Since I have the floor, I want to engage her in a colloquy on this in a moment, because this is a very important issue. She has been extremely helpful as a member of the committee.

While she is getting ready, I want to go back to this argument again before others come to the floor. Maybe they want to speak against it. Again, let me ask people listening: What would you do? How would you fashion a bill if you have one group of people who hate the government so bad they won't let the government do anything and you have some people over here who want the government to do everything? So we crafted—Senator CANTWELL, Senator KLOBUCHAR, myself—something in the middle, that says OK, we will use the SBA. We will go through the private sector. We have to help our small businesses, and we can't build the kind of coalition we need.

So I guess the opponents just say we should not do anything, that we should just sort of go home and everybody go get ready for the election and pat ourselves on the back for sending money to Wall Street, sending money to big banks. But when it came to helping our Main Street banks and our small businesses, we just walked away.

Now, again, this bill has three components. It has a small business tax cut, $12 billion of tax cuts. It is not the estate tax cut. It is not the top rate tax cuts. But it is zero percent—you pay zero percent on capital gains earned if you invest in a small business. It accelerates depreciation for small businesses. It is $12 billion directly in the pocket, not of General Motors, not of General Electric, not of IBM, not big companies all over the world and countries, but small companies, $12 billion dollars of tax cuts.

So I do not want to hear anybody from the other side saying Democrats are not for tax cuts. We have $12 billion in this bill. We have strengthened some government programs. I know the people on the other side do not think government can do anything well. But

government can do some things well. The Small Business Administration is well run and well resourced and supported. It can do very good work for our people.

But there is a private sector component. There is a private sector component; that is, depending on our community bankers, that we know. We know their names. We know where they go to church. We know where they live. They know the people in our communities. We can do a private sector approach, giving $30 billion that will leverage $300 billion to get out to America to create jobs.

So I hope we will take this opportunity. The Senator from South Dakota has been patient, and he deserves his time to speak, even though he will be on the opposite side. So I am going to relinquish the floor for a few minutes and reserve the right to come back.

Let me inquire of the Senator, how long might you need?

Mr. THUNE. Well, let me, if I might through the Chair, inquire from the Senator from Louisiana, is there any sort of a time agreement for this discussion?

Ms. LANDRIEU. There is not. But we could enter into one, if you would like. I would be happy to yield up to 10 or 15 minutes.

Mr. THUNE. Well, I do not think—if there is no time agreement, then our side, I presume, would have an opportunity to speak. I do not think there would be any limitation on that.

Ms. LANDRIEU. Then I will continue to speak since I have the floor.

I am going to just continue to talk about the bill. I see other colleagues who are coming down to speak about it. I would just like to read some of the letters that have come to my office supporting the provision.

This is from the National Bankers Association:

Dear Senator Landrieu: I write this letter to you and the Members of the United States Senate in support of the LeMieux-Landrieu amendment. In no segment of the U.S. economy is the need for lending to small business more urgent than in the distressed communities that our banks struggle to serve every day. This recession has hit these communities the hardest. The number of home foreclosures has wreaked havoc on these communities. The small businesses that are the engines for economic activity desperately need access to capital. The U.S. economy will begin to see real growth when small businesses get access to the capital that creates the opportunities for prudent lending. This bill, with your amendment, is a vitally important piece of legislation.

I would like to say that again, underlined. They do not have to write letters like this to me. But it says: This bill, with your amendment—it could have just said: This bill without your amendment, or, this bill with no reference to the amendment. But they go to the effort to say:

This bill, with your amendment, is a vitally important piece of legislation. Its swift passage will send a powerful message through the U.S. electorate that Congress is aggressively working with small business to create real economic opportunities and to spur job growth where it is needed the most.

Why would they write letters like this? Do you think I sit in my office and draft them and then ask them to send them to me? I do not write these words. My staff does not write these words. They are writing them themselves because what they are saying is, people in America are not hearing anything from Congress about small business and small banks.

All we hear about every single day is big business and big banks. This bill gives them hope that we are hearing them, that we are listening, that we are not isolated, and we are trying. This program may not be perfect. But, heavens, it has gotten two congressional hearings. It has gotten a positive score. It has gotten endorsements from every bankers association and almost every small business association we have.

I see my colleague is here. Let me just read one more letter. I know she may have a question or two for me.

This is the National Association for the Self-Employed. We talk a lot about small business. Let me be very clear with people listening. There are 27 million small businesses in America. If anybody wanted to know, there are 27 million small businesses; 20 million of that 27 million are self-employed. That means there is just one person—it could be a self-employed lawyer, doctor, accountant, et cetera, et cetera, self-employed fisherman, self-employed social worker, or psychiatrist.

The small business self-employed, they really struggle because it is just them. So these small businesses we are talking about literally are just from one person, the self-employed; 5 people, 10 people, 20 people. We lose sight of them. They are the ones creating the jobs. They are the ones taking the most risk. They are the ones that have hocked their house, their boat, their car to start the business. They are the ones that depend on this business to work because if it does not, none of their kids go to college. Do you understand that risk? These are the businesses I am fighting for.

In these difficult economic climates in which traditional lending institutions have clamped down, the self-employed and microbusiness communities have been hit particularly hard, left without essential sources of operating capital.

Now more than ever, America's self-employed community, representing 78 percent of all small business in the United States, needs access to additional credit to weather this economic storm and to grow their business.

The National Small Business Association, America's oldest small business advocacy, urges us to support the small jobs bill of 2010 and the LeMieux-Landrieu small business lending fund.

After bailing out our big banks and Wall Street, Congress finally has the opportunity to help Main Street. We are going to have opposition from some people on the other side? The small business lending fund is not a bailout for sinking banks. It is a lifeline to small business owners struggling to stay afloat in turbulent economic seas.

It is not TARP 202. The small business lending fund is not aimed at helping small banks. It helps the small businesses themselves. The fund is designed to help strong community banks. There is a strength test to participate. The program is not designed to prop up failing firms; it makes loans to solid small businesses struggling to get credit. If we cannot do that in this Congress, I do not know what to do.

I ask the Senator, my good friend, perhaps she has some stories or she can think of some things that she could add to this debate to help me try to explain and to get through because, obviously, we are not——

Mr. THUNE. Mr. President, I object to the yielding of time to another Senator. This Senator has been waiting for 45 minutes to speak.

The PRESIDING OFFICER (Mr. SCHUMER.) The Senator from Louisiana can only yield for a question. So if the Senator from New Hampshire has a question, she may ask the Chair.

Ms. LANDRIEU. Through the Chair, I would like to ask the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for a question to the Senator from Louisiana.

Mrs. SHAHEEN. I would like to begin by thanking the Senator who is chair of the Small Business and Entrepreneurship Committee for her leadership and her work to put together, with Senator LEMIEUX, this $30 billion small business lending fund. I know the Senator made some reference to this, but I just wanted to point out and ask her because there has been a lot of criticism about this fund as being so-called, the son of TARP.

I voted against TARP because I did not think we ought to be doing that. I think this is not another Wall Street bailout, that this is an effort to help small businesses. I would just like to ask Senator LANDRIEU whether she agrees with me that this is not a bailout; that, in fact, this is an effort to help Main Street not Wall Street; and that we need to do this so we can make sure our small businesses get the credit and the capital they need to operate?

Ms. LANDRIEU. I thank the Senator for that question. I would like to respond. I do want to be courteous to the other Members who are on the Senate floor, and if we could get some kind of timeframe, then I would be very open to that.

But let me respond to this question. It is an important one because the Senator did not vote for TARP. The Senator from New Hampshire did not vote for TARP. Yet she is here as a cosponsor of this amendment. So it gives us some idea that Members who did not

vote for the Troubled Asset Relief Program understand this is completely different. It is for healthy banks, not failing banks. It is for small banks, not large banks. It is for Main Street, not Wall Street.

So the Senator is absolutely correct. I know she wants some additional time to speak on the bill. So I would like to ask my good friend from South Dakota, what is his intention? If we can get—I would like to ask unanimous consent that we just go back and forth, 10 minutes each, if that would be OK?

Mr. THUNE. I would say, through the Chair, to the Senator from Louisiana, I do not have an objection to some sort of a time agreement. But the Senator from Louisiana has been speaking now since I have been here, for close to an hour. It would seem to me that if we are going to do this in an equitable way, some speakers on our side would have a comparable amount of time to make our points with regard to the amendment of the Senator from Louisiana.

Ms. LANDRIEU. That would be fine. No one was down here except you have been waiting for a while. So I am perfectly happy, through the Chair, to say, if we can come to some agreement, maybe the next 20 minutes on their side, then 10 minutes here, and another 20 there, until we catch up, would be fine with me for the next hour. So 20 minutes, 10 minutes, 20 minutes, 10 minutes, and then we will continue.

The PRESIDING OFFICER. Is there objection to the proposal? The Senator from South Dakota.

Mr. THUNE. If I can say through the Chair, to the Senator from Louisiana, I was just conferring to see what speakers we have on our side. I think Senator SHELBY is coming down. I do not know long he intends to speak, but I would like to speak for up to 15 minutes or thereabouts. My assumption is that he would want to speak for a good amount of time.

So we might want to expand the amount of time the Senator has suggested in terms of the agreement.

Ms. LANDRIEU. Fifteen minutes each? Through the Chair, may I suggest that we just go back and forth 15 minutes each, until the leadership decides how they want to proceed. I think that would be fair. I know I have been speaking.

The PRESIDING OFFICER. Is there objection to the proposal made by the Senator from Louisiana? The Senator from South Dakota.

Mr. THUNE. Let me just say, if I could, to the Senator from Louisiana, I do not have any objection, I think, if we got back on a 15-minute—the ping-ponging back and forth one side to the other. I do think, however, the Senator from Louisiana has spent a good amount of time talking for nearly, since I got over here, an hour. If we might have an opportunity to catch up a little bit.

So perhaps we could have a half hour for our side, and then if there are speakers who want to come down after that, they could go 15 and 15.

Ms. LANDRIEU. I would agree to that. If the Senator wants to have 30 minutes now, then we will alternate, through the Chair, 15 and 15. That is fine. But I would say that this Senator has been on the floor of the Senate all morning. I have given up a lot of other meetings that I could have been at because this issue is very important.

There was no one else on the floor most of the time when I was speaking. So I appreciate that. But I think this issue is important enough. I ask unanimous consent, the Senator has said 30 minutes on their side right now, and then we will go 15, 15 for the next couple of hours.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from South Dakota is recognized for 30 minutes.

Mr. THUNE. I do appreciate the effort that is being made by the Senator from Louisiana to assist small businesses around this country. Frankly, there are many provisions in this bill I think people on both sides agree with.

I have, as a member of the Small Business Committee, a number of these provisions that I have supported in the past. I think many of my colleagues probably have as well. So to suggest for a minute that the Republicans are somehow standing in the way of passing this small business bill is just wrong. There is clearly a lot of Republican support for many of the provisions that are included in this bill.

In fact, I will mention the increased loan size and guarantees for SBA (7)(A) and 504 loans; temporary fee reductions for (7)(A) and 504 loans, updates to SBA's outdated size standards, and much needed tax relief through measures such as bonus depreciation, section 179 expensing, and allowing business credits against the alternative minimum tax, those are all things that there will probably be large bipartisan support for in the Senate. The issue we are having a debate about now is whether the Senator from Louisiana should be able to amend the underlying bill with a provision that would create a small business lending fund.

The point has been made by the Senator from Louisiana that somehow it is just Republicans who are opposed. The fact is, there were objections to that provision on both sides. That is the reason it is not in the base bill. It was originally in the base bill. It was dropped from the base bill at the request of the majority leader and the chairman of the Finance Committee, it is my understanding. This particular provision is not only objected to by Republicans; there is Democratic opposition as well, which is why it was once in the base bill and is now no longer in the base bill and is being offered as an amendment to the bill by the Senator from Louisiana.

I rise in opposition to the amendment. I, in all likelihood, depending on how it plays out, may very well end up supporting the bill. There are many provisions in here with which I agree. This particular provision, however, is going to make a lot of Members uncomfortable. We can say this isn't TARP, but if it walks like a duck, talks like a duck, and acts like a duck, it is a duck. This is TARP. Anybody who thinks for a minute they are voting for something that isn't TARP when they vote for this is, again, flat wrong. This is structured precisely the way TARP was structured. It is designed to avoid that label to encourage participation by banks, which I understand. I don't think there are many banks that would want to participate if they knew they were getting into TARP. But this is essentially TARP. It has been relabeled and renamed, but we can't get away from the basic fact that it continues to be an extension of TARP simply to small businesses or to smaller lending institutions, the assumption for which the TARP was made available.

As to the capital purchase program under TARP, reading from the quarterly report of the special inspector general for TARP, it says that of the 707 lending institutions that participated in the original TARP, 625 had assets of less than $100 million. I realize $100 million is still a lot of money. There are a lot of banks in my State that have nowhere close to that amount of assets. But if we take the total number of lending institutions that participated in TARP, which is 707, 625 of those or more than 80 percent were banks with less than $100 million in assets. There was participation by smaller banks. It wasn't only the big multibanks that were participating in the program. It was a lot of these $100 million and smaller banks that were participating originally in TARP.

The other point that has been made is that somehow this is different in the sense that this is going to actually raise revenue for the Federal Government. The TARP, projections are, will cost Federal taxpayers $127 billion when it is all said and done. We hope that is not the case. We hope that number is smaller, but that is what the estimates are with regard to how much TARP will cost Federal taxpayers. This particular $30 billion reincarnation of TARP, created specifically for smaller lending institutions, it has been estimated by the CBO, will actually generate a budget savings of $1 billion. How do they come at that? CBO, at the request in the House of Representatives, where this originally passed, used a different accounting method in determining the cost or the budgetary impact of this version of TARP versus the original version.

The CBO also noted that if the accounting conventions that were used to consider the budgetary impact of the original TARP were applied to this $30 billion TARP carve-out, it would cost Federal taxpayers or would score $6 billion. Again, it is because this scored

differently. If this fund were scored as they scored TARP, which was on a fair market basis adjusted for a market-risk basis, then it would cost $6 billion. This is being scored on a cash basis as raising over $1 billion. That is what the CBO is saying. If they used the same accounting conventions applied to the original TARP, this program would have a budgetary impact of $6 billion, rather than the $1 billion savings being reported by the proponents of the legislation.

I make that observation to point out that when people who are voting for this think there may not be any consequence with regard to the fiscal impact this could have, they are not taking into consideration the full picture. There was a change made in the way CBO scored the original TARP and the way they have scored this particular program. If we use the same convention or the same accounting conventions applied to the original TARP to this TARP, we would be talking about a $6 billion cost to taxpayers as opposed to $1 billion in savings.

It strikes me that there is great effort being made to convince people this is not a TARP program. I wish to point to the White House's talking points that admit that the ''program would be separate and distinct from TARP to encourage participation'' and that ''the Administration's proposal would encourage broader participation by banks, as they would not face TARP restrictions.''

These restrictions include executive compensation rules, warrant requirements, and a variety of other things. But my point is, this is the same flawed structure. This is the same basic mechanism used to create the TARP. Most people here, Members on both sides, have great apprehension about how TARP was used. Again, to Members who will be voting for this particular reincarnation of TARP, if they didn't like voting for TARP the first time, they probably should not be voting for this. We are essentially doing the same thing, but we are purposely removing some of the very safeguards created under the TARP.

There are better ways of helping small businesses. We have 9.5 percent unemployment. We are trying to encourage small businesses to create jobs. Yet here we are talking about going back to the old playbook and trying to somehow make this look better and sound better and put different lipstick on it and say this is a new program, when it is essentially something we are all familiar with. If we want to help small businesses, we should get our foot off their throats. Let's get Washington's foot off the throats of small businesses.

Everything being done here in terms of public policy in the last year or year and a half is going to make it more difficult for small businesses to create jobs. We have passed a $1 trillion expansion of health care which imposes new mandates and taxes on small businesses. We have passed a $1 trillion stimulus bill which has done very little to help small businesses. If we had been having this debate when the stimulus debate occurred, there might have been more support. But at the time, a very small fraction of the total amount, about one-third of 1 percent of the amount that was spent under the stimulus bill to try and grow the economy and create jobs, was actually directed at small businesses. It was a nonfactor in the debate during the stimulus. We spent $1 trillion, most of which has been used to create jobs in Washington, DC, in the Federal bureaucracy. We haven't done anything to provide the incentive for small businesses to create jobs.

It is going to get worse because, as we all know, next year, the 2001 and 2003 income tax cuts expire, at which time, if no steps are taken, the rates are going to go up on small businesses. The other side will argue that we will insulate and protect people under $250,000 from these tax increases, $250,000 for a married couple and $200,000 if one is single. The point Members of this body need to remember is, 50 percent of small business income is taxed at those top two marginal income tax rates. When we raise those top marginal income tax rates—the 35 percent rate up to 39.6 percent and the 33 percent rate up to 36 percent—we are imposing tax increases on small businesses. That is what small businesses have to look forward to next year. It is no wonder small businesses are not creating jobs. We continue to pile these new mandates, new taxes, new compliance and regulatory burdens on them. We expect them to go out and create jobs.

Look at the proposal for energy, the cap-and-trade proposal. It would put a punishing new energy tax on small businesses. At every turn what we see is Washington, DC, and the Congress taking steps detrimental to job creation and making it more difficult for the very small businesses that are the economic engine of our society to create jobs.

There are some things in this legislation that are good. There are some tax incentives for small businesses. We are talking about a provision now, an amendment that would be added to this bill, a $30 billion mini TARP which we have all seen work in the past. I don't think anybody here would want to go down that path again, if they knew that is what they were voting for. That is why this incredible effort is being made to relabel what this is. That is why they are changing the language in describing this. But the fact is, we are talking about the same thing.

I wish to read some quotes from the TARP congressional oversight panel, which is headed by the administration's rumored choice to head the new Consumer Financial Protection Agency, and that is Elizabeth Warren. She has expressed skepticism that it will be effective in increasing small business lending, the fund we are currently debating. She says:

> The small business lending fund looks uncomfortably similar to TARP. Like the capital purchase program under TARP, the small business lending fund injects capital into banks assuming that an improved capital position will increase lending, despite the lack of evidence that the capital purchase program did.

That is a direct quote from this report by the congressional oversight panel. She goes on to say that ''such a fund runs the risk of creating moral hazard by encouraging banks to make loans to borrowers who are not creditworthy.''

We have a lot of folks who have followed very closely what happened with TARP who are expressing reservations about this particular lending program and how it might impact the Federal budget. If we use the same scoring conventions applied to the original TARP, it comes in at a cost of $6 billion as opposed to a savings of $1 billion. When we completely throw away the accounting manual and use a different accounting convention, we get a different result. But the risk still exists. The CBO has made that clear in their analysis. When we look at what the congressional oversight panel says with regard to how this will resemble TARP, the risk they recognize inherent in that, as well as the limited effectiveness of the original program in encouraging banks to participate, this is a path down which we should not go.

There are things in this bill that are good. There are things that will attract bipartisan support in the Senate that Members on both sides are in favor of. But the reason this provision was stripped out wasn't because Republicans alone objected. There were Democratic objections as well. It was taken out of the base bill. It is now being offered as an amendment for that reason. It is not Republicans who are trying to stop us from doing things that will help small business. The best thing the Senate can do to help small business is to quit putting new mandates, new taxes, and new regulations on them. Then they will see the kind of certainty they need to create jobs and get the economy growing again.

I yield the floor.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Alabama.

Mr. SHELBY. Madam President, who controls the time?

The PRESIDING OFFICER. The Republicans control another 14 minutes 50 seconds at this point.

Mr. SHELBY. Madam President, I rise to oppose the Landrieu amendment. Only 1 day after the President signed the Dodd-Frank financial regulation bill into law, at that time proclaiming an end to taxpayer-funded bailouts, we find ourselves debating another bailout bill on the floor of the Senate. Just last week, we were told by the majority that the mere passage of Dodd-Frank would help revive our damaged financial system.

The bill was heralded as a thoroughly considered and comprehensive piece of legislation that would restore confidence in our financial system and revive our economy. What a difference a day makes.

If Dodd-Frank is really going to revive our economy, why do we need this bill? I think the answer is clear: The majority knows the Dodd-Frank legislation is going to reduce lending and undermine economic growth by imposing more regulations and taxes on banks. They know, I believe, that Dodd-Frank will do nothing to increase the availability or reduce the cost of loans to small businesses. But, rather than create a new regulatory system to strengthen our private sector, the majority decided to expand significantly the old system, thereby increasing the regulatory burden on American businesses—small, medium, and large.

I believe this is the same old song and dance: expand the reach of the heavy hand of government, increase taxes and the cost of doing business, and then complain that the private sector is not working. We have heard this before. Once the American business owner is sufficiently encumbered, the only alternative must be a brandnew big government program, such as envisioned here. How do we pay for this new ''necessary'' government program? We borrow money from future generations. Does that sound familiar to people here in the Senate?

This amendment is intended to help small businesses—a goal we can all support. Yet, in practice, the legislation would create a second TARP. Remember TARP? A lot of people wish they had not voted for it. Like TARP, this program does not lend money directly to small businesses. It would have the government take ownership interest in hundreds of banks and then require that they make loans. This is TARP II. In fact, banks could replace original TARP money with funds received from this program.

As I said, just 1 day after the enactment of Dodd-Frank, which contained a provision to speed up termination of TARP, we are voting on an amendment to extend TARP for at least another 10 years.

To force banks to participate in this program, this legislation would subsidize bank financing. Banks would generally pay dividends on the government equity investments at rates ranging from 1 to 5 percent. The current market yield on such investments, however, is between 7 and 8 percent. Hence, any bank that chooses not to participate could find itself at a competitive disadvantage. Moreover, this legislation forces taxpayers to what? Subsidize banks once again. In effect, we are taxing small business owners to pay banks to lend to small businesses. Even worse, the government's equity investments would be subordinated to all of a bank's existing debt. As a result, if a bank fails, existing creditors would get paid before the government, and taxpayers again would take the hit. I believe American taxpayers have lost their appetite for bank bailouts.

Finally, I also want to note that the legislation appears to exempt loans made under this program from existing underwriting regulations. The bank regulator would then have the authority to decide what types of underwriting standards apply to these loans. I believe this raises at least two issues. First, if the multitude of regulations required by Dodd-Frank are really necessary, why does this bill provide a carve-out for loans made under this program? Second, what statutory protections are there to ensure these loans are underwritten in a safe and sound manner so we do not create hundreds of new Freddies and Fannies? The answer, sadly, is none.

This legislation would continue the majority's assault on American business by having the government dictate how and to whom loans are made. Each participating bank would have to provide the government with a business plan for review. Rather than having loans approved based on the creditworthiness of a borrower, politics will now play a role. We should let the market, not bureaucrats, decide which businesses get loans. Unfortunately, the majority party is once again sacrificing our core economic values for a short-term economic gain.

The lack of credit for small business is a problem that needs to be addressed. I fully support the Banking Committee examining the issue and hope Chairman DODD would consider holding a hearing on this issue. I think it is very important. It is relevant, and it should come out of the committee. I do not, however, believe we should try to solve this problem with another expensive and bureaucratic government program. TARP II is something we do not need and I hope will not be supported in the Senate.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Madam President, how much time is left of our allotment?

The PRESIDING OFFICER. Eight minutes 8 seconds.

Mr. THUNE. Thank you, Madam President.

I thank the Senator from Alabama for his eloquent remarks as a key member and the ranking Republican member of the Banking Committee, as someone who is very knowledgeable of the impacts these decisions we make here in Washington have on our financial institutions across this country. I think he is someone who has gone through, as many of us have, this experience with TARP, and his comments are particularly on point. So I thank him for being here and for speaking to this issue.

As my colleague from Maine also noted earlier today, I think there is pretty broad opposition to this particular amendment, notwithstanding the support many of us have for the underlying bill. As I said before, there are tax incentives in the underlying bill, along with some other changes that are being made in some of the Small Business Administration lending programs, that I think will get widespread support in the Senate. But I believe this particular provision, for many of the reasons I have mentioned and others have mentioned on the floor, is going to find a considerable amount of opposition, and I would expect that to be bipartisan opposition.

In the few minutes I have remaining, what I would like to do, if I could, is wrap up with a couple of basic observations.

I know the Senator from Louisiana and others have talked about the discussion they have had with lenders in their States and some of the various associations that represent their States. I also had the opportunity a couple days ago to visit with a number of my bankers in South Dakota, most of whom believe this legislation is unnecessary because they think it is not an issue of having funds to lend, that there are funds to lend out there, and the question really is trying to find the types of deals, the types of borrowers who could make payment in a timely way. Hopefully, there will be more borrowers who are qualified.

One of the reasons I think they do not qualify is because there is so much uncertainty about what the rules of the game are going to be going forward. If you are a small business in America today, you do not know what is going to happen on the estate tax, the death tax. I hear that all the time from farmers and ranchers and small businesses. You do not know what is going to happen with regard to taxes on income, on capital gains, on dividends. All those things are set to go up next year if steps are not taken by Congress to prevent that from happening. You have the new health care mandates which many of the small businesses are still trying to react to and figure out—when this gets implemented, what impact is this going to have on my small business and my cost structure? You have the prospect looming out there of a new energy tax under some sort of cap-and-trade or climate change proposal that continues to be discussed here in Washington, DC. So there is this cloud of uncertainty surrounding businesses in this country and I think also lenders who are looking at businesses in this country and wondering whether these businesses are going to be viable in the future if they are hit with all these new taxes, new regulations, and new mandates.

So I think the better course for us to take is to look at ways we can liberate small businesses from regulations and taxes and mandates and enable them to go out and do what they do best; that is, create jobs. But, frankly, I do not believe, notwithstanding the arguments that are being made by the other side, that going down the path toward another TARP—again, $30 billion is a significant amount of money. It is tax dollars we put at risk.

Again, the reason the CBO scored this at a $1 billion savings is because they did not take into consideration, with the methodology they used in scoring it this time, market risk. They did when they scored the original TARP. If they used the same accounting conventions in making their analysis of the budgetary impact of this particular provision as they did with the original TARP, it would not result in a $1 billion savings; rather, it would result in a $6 billion cost to the Federal taxpayers. I think that is important to point out in this debate going forward.

Let me, I guess just to close, at least temporarily, while other speakers perhaps come down to talk about this, say that the White House's talking points, as I mentioned earlier, make it abundantly clear that this really is a TARP. They are trying to disguise it and call it something else because they want bankers to participate and they know bankers will not participate if they think they are getting into a TARP.

These are the talking points from the White House which admit, again, that the ''program would be separate and distinct from TARP to encourage participation.'' It goes on to say that ''the Administration's proposal would encourage broader participation by banks, as they would not face TARP restrictions.'' Again, as I said, these restrictions the White House is referring to include restrictions on executive compensation and warrant requirements, to name a couple.

So this really is—if you look at the way this breaks down and you compare it side by side with how TARP was structured, it very much is the same thing.

We can call it something different. We can label it something different. We can disguise it. We can try to make people feel better about voting for it. But what you see is what you get, and what you get and what you see here is TARP by another name.

So I do not think it is necessary for us to be going down this path again. We have tried that once. When we did try it the last time, of the total number of banks—707—that participated in the capital purchase program under TARP, 625 had assets of less than $100 million. So this is something that has been tried, and it certainly does not seem, in my view, something we ought to be trying again. There are a lot of other ways to provide incentives for small businesses to create jobs. Some of them are in this bill, and for that I congratulate the Senator from Louisiana. I worked with her as a member of the Small Business Committee on some of those provisions. But this one really is a bridge too far. It is not something we need to be doing. It is not something the taxpayers of America need us to be doing. I would argue, as well—and this is based, again, on conversations I have had with lenders in my State of South Dakota—this is not something they think is necessary when it comes to making more credit available to small businesses in this country.

So I would, with that, reserve whatever time we have. I guess I yield back the remainder of my time—I assume it is about gone—and will wait for some other speakers to come down.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Madam President, before my colleague leaves the floor, I want to say I did not realize he was such a fan of Elizabeth Warren. I was really under the impression that he and some of the leaders on that side had some objections to her style of leadership. But they surely have quoted her today because she was the author of this oversight report to which they keep referring. So I am so happy to know that the Senator from South Dakota and the other Senators who have spoken think so much of Elizabeth Warren because she is the one who wrote this report that said this might look like TARP II.

Now, that is what Elizabeth Warren says, and evidently my good friend from South Dakota really appreciates the leadership she is giving on this subject. Because the community bankers—not Elizabeth Warren, not bureaucrats in Washington, whom the Senator from South Dakota is defending—his own community bankers—yes, in South Dakota, his community bankers—wrote to HARRY REID and MITCH MCCONNELL, his leader, on behalf of the nearly 5,000 members of the Independent Community Bankers. A Communist group, a very liberal group this group of independent community bankers is. A big government group independent community bankers are. They have written a letter to the Senator from South Dakota. Evidently, he did not open his mail today.

Madam President, they write:

> I urge you to retain the Small Business Lending Fund in the Small Business Jobs Act. It is the core component of this legislation.

Mr. THUNE. Would the Senator yield?

Ms. LANDRIEU. No, I will not yield.

I will say one thing to the Senator from South Dakota. If I took out the words ''big government,'' ''taxes,'' or ''regulations,'' neither the Senator from South Dakota nor most of the Members on the other side could finish a sentence, because they can't debate a specific. He gets up and starts talking about higher taxes and more regulations. This bill has tax cuts in it. This bill doesn't have any regulations in it. This is a small business lending program. My good friend, the Senator from Alabama, read the statement written by the political operatives beautifully. I am sure I will hear it on the Rush Limbaugh radio program today.

I don't need a speech to read. I have hardly read one thing except the thousands of letters that are pouring in, asking us to help small business. I will say with as much respect as I can to the ranking member of the Banking Committee, because I know I heard him say this bill didn't go through the Banking Committee: I wish to agree, and thank God it didn't. Because you know the last two bills that did? One was TARP I, which nobody likes. Then TARP II came through that committee, and then the big bank regulatory bill came through that committee. So I hope the ranking member isn't trying to convince me or the Republicans that that committee has produced great legislation. I say that with respect to the chairman of the committee. I know he is going to hear this and be aggravated. But to stand up and say because the small business lending bill didn't go through the Banking Committee, which has been roundly criticized by their side for too much regulation, is more than I can stand.

Thank goodness, this didn't go through the Banking Committee. It came straight from the hearts of bankers in our communities and small businesses who don't need any committee in Washington to tell them what is going on at home. They don't need any lobbyists to tell us what is going on. They can't get money. We have given out money to Wall Street. We have given out money to the big auto companies. When it comes to giving out a small $30 billion to our own community banks, the Republicans say no.

Then I have to hear the Senator from Alabama and the Senator from South Dakota—and I want whoever is listening to hear this: They say this is a big government program. The money doesn't even go to the government; it goes to the community banks. It is a voluntary program to community banks, and it then goes to business.

I will say again that there were Democrats who came to me and said—I am the chair of the committee—Senator, we don't trust the private sector. We don't think that if we give them this money, they will lend to our small businesses. Can't you do a direct lending program? There is a lot of support for a direct lending program. But knowing the GOP the way I do, I said to my friends, my colleagues: You know, if I thought I could get one or two or three Republicans for a government direct program, I might do that because it would be more efficient, but they are so mad at the government right now and they have everybody all riled up, so let's do it through our community bankers whom we know, whom they know and support. So we craft the program to be a voluntary private sector lending program to healthy banks, and they want to say no, because, they say, it is like TARP.

Well, let me tell my colleagues one Senator who is a Republican who doesn't think it is TARP, and that is Senator LEMIEUX from Florida. Another Senator who doesn't think it is TARP is the good Senator from Ohio, GEORGE VOINOVICH, who says it is not TARP.

But the Senator from South Dakota, who came to talk about how we can't

help small business, actually voted for TARP. The Senator who just spoke against this provision voted for TARP, to give money to banks and big banks with no strings attached. Yet he comes to the floor and now he can't help our community banks in their efforts to help small businesses. Every community bank, independent bankers, ABA, they are all supporting this. They didn't support TARP; many of them did not. They were afraid of it. They didn't like it. They still complain about it. This isn't TARP.

I know my colleague is here from the State of Washington. How much more time is remaining?

The PRESIDING OFFICER. There is 8 minutes remaining.

Ms. LANDRIEU. Madam President, I wish to yield the 8 minutes to the Senator from Washington, who was extremely instrumental in designing this program. Perhaps the Senator knows I am evidently having some difficulty explaining to some of the Senators from the other side how this is not like TARP. Maybe the Senator from Washington can do a better job than I have been able to do. I wish to thank her for coming to the floor. I yield 8 minutes to the Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Madam President, I thank the chair of the Small Business Committee. I see my colleague from Washington is already here on the floor. Did she wish to say a few words?

Mrs. MURRAY. Madam President, I am happy to yield to the Senator from Washington to go first and then I will follow her.

Ms. CANTWELL. I thank my colleague from Washington. I know she too has been very active in this issue and has spoken on it and has urged our leadership, in signing a letter, I believe probably 6 months ago, that we pass this legislation. I wish to thank again the chair of the Small Business Committee for her advocacy.

This literally is an issue about Main Street versus Wall Street. This is about whether we are going to help Main Street in tough economics times, or whether we are going to continue to say that Wall Street gets the ear of Congress.

I am someone who didn't vote for either of the TARP pieces of legislation. I know my colleague, Senator SHELBY, the ranking member of the Banking Committee, was here speaking about this. I can assure my colleagues that this legislation is focused at the problem that was caused by Wall Street. Many people across America are asking when we are going to stand up for small businesses in America and help Main Street recover from this economic disaster.

How did we get into this situation? We got into this situation when large banks failed because of their active participation in things such as credit default swaps and other derivatives that weren't truly backed by financial commitments and basically became a house of cards, and they brought down our entire economic system.

So what was our response to that? Our response to that was to bail out the big banks and give them assistance.

What happened to the community banks? As deposit insurance basically was paid out in various forms, that said to those community banks: You now have to have higher capital standards. Can my colleagues imagine that? Can my colleagues imagine that? We had big banks such as Goldman Sachs and others that basically had imploded and we gave them taxpayer money and, basically, then said to the community banks: You need to have more capital within your banks. That is what we said.

So what did those community banks do when regulators told them they had to have higher capital requirements? They did what many of them only had one choice to do, which was come up with situations to either get more capital or stop their lending. The consequence is that there was a lot of lending that was done to small businesses that suffered as a consequence of those actions. Imagine that. The practices of the larger banks of investing in credit default swaps and derivatives that had no basis ended up costing small businesses their access to capital because capital requirements were put on small businesses through their banks at the same time large banks were given a bailout.

So no, no, this is not a bailout. This is about a lending program for small business to save Main Street and save our economy, because this Senator believes that job creation happens from small business. That is a proven fact. Seventy-five percent of the increase in jobs comes from small business, but right now they can't get access to capital.

Here is a letter from one of my constituents:

> In unprecedented times I am writing to you to express and urge relief for small business owners who are struggling to survive and who can be one of the key factors to improving the U.S. economy. We have been a small business for over 9 years and have 5 restaurants in Washington State and we currently employ 150 people between five operations. Until September of 2008, our business was stable and we were expanding and adding jobs and tax dollars to the State and Federal coffers. But then in September of 2008, after signing a 20-year lease for our first Arby's project—

that is a restaurant—

> our lender pulled our financing due to economic conditions. This was the same lender that just 3 months earlier had refinanced over $3 million of our business debt. And even though we had excellent personal and business credit, two business properties as collateral, good cash flow, we were forced to take high-interest equipment leases, advances from credit cards, as well as cash advances with an almost, yes, 50 percent interest rate from finance companies with an 18-month term.
>
> We tried going directly to the bank to finance the company, but we were told we had no options. Instead, the same bank charged an almost 50 percent interest rate through the finance company.
>
> There is nothing worse to an entrepreneur than to have the foundation and determination of their survival caused by this economic calamity and then to feel that State and Federal agencies would rather see your doors shut than work with you. We are honest, hard-working Americans who want to pay all our debt, but these agencies are uncompromising and missing the human factor.

Missing the human factor. Why is it that the other side of the aisle thought it was such a priority to bail out Wall Street, but now a well-crafted piece of legislation that is a lending program that is voluntary—banks don't even have to participate in it if they don't want to; it is not like TARP which was mandated on the banks to participate—why is it the other side doesn't want to see the success of these small businesses?

As my colleagues have said, this program is a well thought out program to help recapitalize the community banks as more requirements were put on to them as it related to the economic crisis of 2008. Imagine that. No questions asked to the big banks; they were given a bailout. Small banks got new capital requirements. They cut thousands and thousands—probably millions—of lines of credit; that is, performing loans to businesses across America were cut out from under them.

The voices are loud and clear across America. They want us to help restore this kind of stability through access to capital for small businesses. This is a program that can generate $1.1 billion to our economy and reduce our Federal deficit. It will help stabilize in a way that these other programs have not been able to do, and it will create the job growth we need to see in America.

I hope my colleagues will support this important legislation. I know some on the other side of the aisle want to name this some other legislation. But the truth is that this is about Main Street, whether one's perspective is that Main Street is going to help us. I believe Main Street will be that job creator. I hope my colleagues on the other side of the aisle will think about this and the consequence of the votes they have already taken. It is so important for us to say that we understand their plight, just like the gentleman's letter that I read. It is important for us to say we understand the frustration they have been through; that we are on their side in making sure small business gets access to capital; and that we believe our economy isn't about the big banks. It is about those millions and millions and millions of entrepreneurs every day who go out there and are hard working and who have been told no, no, no—told even on their lines of credit, no, you can't have access anymore. We need to right that wrong that happened over the last year and a half and get capital flowing again to small businesses.

I thank the Chair, and I thank the chairwoman of the Small Business

Committee. I see my colleague from Washington, who has been outspoken about this since January, the importance of getting this done, and has written many letters to try to emphasize how critical it is to our Washington State economy.

The PRESIDING OFFICER. The Senator from Washington should know that the 15 minutes for the majority has expired.

Mrs. MURRAY. Madam President, I ask unanimous consent to speak for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Madam President, I ask unanimous consent that the next Democratic Senator to speak be the Senator from New Hampshire, the Presiding Officer.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. I wish to thank Senator CANTWELL, Senator LANDRIEU, and all of those on our side who have been working so hard on this issue for so long.

As all of us know, small businesses are not only at the heart of our communities, they are at the heart of our economic recovery. They provide secure, stable jobs. They drive the innovation that provides economic growth and expands opportunity for all. They are the foundation on which we build our economy.

But we also know that this economic downturn has hit our Nation's small businesses particularly hard. Lines of credit have been cut off, businesses that were expanding and hiring suddenly slammed on the brakes, employees have been let go, and inventive and original ideas have been put on hold.

In communities throughout our country, our small businesses have been left to fend for themselves.

A large part of why this has happened can be explained by looking at the health of our community banks, which provide the capital that drives business growth and job creation.

The fact is, help has come much too slow for our community banks. Because of that, we have seen these banks fail one after another, lending has dried up small businesses, and job growth has suffered.

While Wall Street institutions such as AIG and Goldman Sachs were deemed too big to fail, the collapse of our community banks has apparently been too small to notice. In communities across my State and across the country, the loss of their hometown banks has certainly been noticed. In my State of Washington, just in the past year, there have been 10 community banks that have failed. Believe me, their communities have felt the loss of these banks.

Earlier this year, the FDIC closed American Marine Bank, a small bank that serves small communities in my State, including Bainbridge Island. It was a bank that had served small businesses and families in the community since 1948. It was the first bank that allowed the people who lived there to do their banking without having to take a ferry ride all the way to Seattle.

Over the years, American Marine provided the capital that allowed Bainbridge Island and other areas of our Olympic Peninsula to grow into self-sustaining economies, to grow from very sparse farm areas into suburbs that included thriving small businesses and family-wage jobs.

An article that ran in the hometown Kitsap Sun newspaper after the collapse captured what the bank's failure meant for local businesses and families.

In the article, Larry Nakata, president of a local grocery chain, said American Marine had been his bank since the day his store opened and noted that over the past 52 years he has gotten repeated loans from American Marine over time to build new stores, expand, and hire new workers. In that same article, Mary Hall, a local business owner, talked about how a former CEO of American Marine believed in her enough to give her a loan to start up her paint company back in 1984, which still serves the community today.

Jeff Brian, a movie theater owner there, talked about how American Marine provided the loans he needed to buy new land and open new theaters. He said:

> They were there for us from the very, very beginning.

Madam President, it is not just that community banks are failing, it is that they simply don't have the capital to lend to even very successful small businesses in their communities.

This is something I have heard repeatedly talking to small business owners in every community of my State.

In Vancouver, WA, I heard from Tiffany Turner, who, with her husband, owns a growing inn. She told me they have grown close to 10 percent, despite the economic recession. But they have now been told by their bank that ''we are not lending in your sector.''

In Seattle, I heard from Dani Cone, the owner of a local coffee company, whose credit ran dry and has been forced to borrow money from family members to keep her business afloat.

I heard from a bookstore owner who had taken out $60,000 on her own personal credit card to keep her business afloat.

I heard from a husband and wife who opened a local restaurant about how they finally had to close up shop for good.

I heard from people who were driven by their passions, who wanted to grow their business and wanted to hire but have been stymied by the lack of credit flowing from their banks.

Obviously, at a time when we are now relying on our small businesses to drive job growth, this is unacceptable. Right now we ought to be doing everything we can to make sure small business owners have the credit they need to grow and hire.

That is, in fact, why last year I introduced the Main Street Lending Restoration Act, which would direct $30 billion in unused TARP funding which was supposed to go to Wall Street, back to our community banks that are under $10 billion, so they can unlock the vaults and start to lend to small businesses in their communities again.

It is exactly why I spoke to Secretary Geithner and President Obama about this directly—and why I have been pushing so hard to make small business lending a priority.

I have felt strongly that we have to be more focused on community banks if we are going to make progress and bring true recovery to Main Street businesses again. It is why I am so proud to stand here today and support this amendment that will create the small business lending fund and State small business credit initiative.

The small business lending fund takes a most powerful idea from my Main Street Lending Restoration Act and sets aside $30 billion to help our community banks—those with under $10 billion in assets—to help them get the capital they need to begin lending money to our small businesses again.

It would reward the banks that are helping our small businesses grow by reducing interest rates on capital they receive under this program.

It would help support small business initiatives run by States across the country that are struggling now due to local budget cutbacks.

My State of Washington is one of the most trade-dependent States in the Nation. So I am very glad this amendment also includes the Export Promotion Act, which would provide support and resources to small businesses that are trying to ramp up their exports.

Small businesses are the lifeblood of our economy, and this amendment will help them get back on their feet, expand, and, importantly, add jobs to our communities.

I grew up working in a small business. My dad was the manager of a five-and-dime store in Bothell, WA. As a kid, I did everything from sweeping the floor, to working the till, to taking out the trash. I remember how our little businesses and those around us on Main Street were the cornerstones of our community and how, in fact, they were actually the cornerstone of our local economy.

My experience is certainly not unique. For many decades, the defining strength of our financial system has been our small businesses and their ability to access credit at affordable rates, grow beyond their walls, and provide good-paying jobs.

It is time for us to get back to ensuring that our small businesses are the backbone of our economy. This amendment is a very important step in that direction.

I thank Senator LANDRIEU for her outstanding leadership on this issue. I

am here today to urge all of our colleagues to support this amendment, and let's get Main Street back to work again.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

SUPPLEMENTAL APPROPRIATIONS

Mr. MCCAIN. Madam President, very soon, we will be voting to move to consider the House-passed version of the 2010 supplemental appropriations bill.

I will vote against proceeding to the bill for one simple reason: It is not fully offset and now has a pricetag of $80 billion. When will the spending stop?

When the Senate considered the supplemental in May of this year, the bill totaled nearly $60 billion. Again, I opposed it because our version was not paid for, and it added to the ever-growing deficit for future generations. Those who say we oppose small business and all the motherhood and apple pie provisions of this bill, all we want to do is have it paid for.

Dr. COBURN and I had two reasonable amendments to fully offset the cost of the bill when it was $60 billion. I am sure we could find offsets for this $80 billion bill—if amendments were in order.

Our amendment would have saved taxpayers a combined total of nearly $120 billion by freezing raises, bonuses, and salary increases for Federal employees for a year; collecting unpaid taxes from Federal employees, which is $3 billion; reducing printing and publishing costs of government documents; eliminating nonessential government travel; eliminating bonuses for poor performance by government contractors, which is $8 billion. The list goes on and on. It also includes cutting budgets of Members of Congress, which would save $100 million; disposing of unneeded and unused government property, which would save $15 billion.

In other words, the size of government has doubled since 1990. Surely, it is time we started paying for these spending bills.

Our efforts failed. The majority, once again, succeeded in preventing the elimination of a single dime of wasteful and unnecessary and duplicative spending.

I remind my colleagues that in April of 2009, well over a year ago, the President wrote to Speaker PELOSI and said this:

> As I noted when I first introduced my budget in February, this is the last planned war supplemental.

That was in April of 2009 when the President said last year, April, was the last planned war supplemental.

He went on to say:

> Since September 2001, the Congress has passed 17 separate emergency funding bills totaling $822.1 billion for the wars in Iraq and Afghanistan. After 7 years of war, the American people deserve an honest accounting of the cost of our involvement in our ongoing military operations.

I could not agree more. That is why I am disappointed to see yet another supplemental spending bill—designated as an emergency—and without offsets.

Now the majority leader wants us to take up the House-passed bill, which exceeds the cost of the Senate version by $22 billion—nearly $23 billion. The House added $10 billion for an education jobs program and $4.9 billion for Pell grants. Other items added by the House include $80 million for energy loans, $142 million for the gulf oil-spill—the list goes on and on. Many of these are very worthy causes, very worthy items. But it should not be added to a must-pass bill to fund our troops, and it should be fully offset. That is what this debate has been all about for a long time—not whether these are worthy items, not whether we should have $10 billion for an education jobs program—although I seriously question that one—but the question is, Are we going to pay for it?

When are we going to stop mortgaging our children's and grandchildren's future and start balancing the budget and reducing and eliminating spending? Our soldiers and their families are making tremendous sacrifices. Why don't we make some sacrifices? Why don't we forego the earmarks and the special interests and the special deals that continue to characterize our behavior?

I don't need to remind my colleagues that we are fighting two wars. But the House has proposed reduced defense spending for this fiscal year and prior year funding by $3.2 billion to help pay for the $22.8 billion added by the House for domestic programs.

Subsequent to House action on the supplemental, the chairman of both the House and Senate Appropriations Committees further reduced the Defense Department's fiscal year 2011 discretionary base allocations below the President's request by $7 billion and $8 billion, respectively.

In other words, we are increasing domestic spending, larding it on this, by some $60 billion, and at the same time we are cutting defense.

One issue of concern is a provision contained in the Senate-passed bill to provide funding for the Secretary of Veterans Affairs to exercise his authority to expand the number of service-related illnesses presumed to be connected to exposure to Agent Orange. The cost of that provision is $42 billion over 10 years and will most assuredly have a detrimental impact on the ability of the VA to process current and backlogged claims in a timely manner.

Perhaps the most controversial provision added by the House is the $10 billion for an education jobs fund. This money would be used to supplement State budgets to pay the salaries of teachers, administrators, janitors, and other school personnel.

I fully support the goal of saving teachers' jobs, but this certainly isn't the way to do it. In fact, the government should be incentivizing districts to make crucial reforms so that effective teachers are rewarded.

The proposed Education Jobs Fund would continue the archaic seniority system that many say rewards bad teachers instead of the most effective teachers.

Additionally, the House proposed $800 million in spending cuts to help offset the cost of this $10 billion fund—an act which quickly drew a veto threat from the President. The bill proposes to cut $500 million from the Race to the Top Fund. I don't know of a better educational incentive in recent years than the Race to the Top Fund. Yet they are going to cut $500 million from it.

The bill proposes to cut $200 million from the Teacher Incentive Fund that supports creation of pay-for-performance programs and $100 million from the Charter Schools Program. All these are proven ways to help education in America, so they are going to cut them.

They are going to cut the Charter Schools Program. In my State, charter schools have worked and have provided competition to the public school system. If the cuts to the Charter Schools Program in the House-passed bill are enacted, as many as 200 fewer charter schools could start next year and approximately 6,000 charter school employees could be in jeopardy of losing their jobs. There are 420,000 children on charter school waiting lists nationally. Now is not the time to stop supporting the growth of new charter schools.

I could go on and on about what this bill does. Of interest is the House decreased by $27 million the funding for the hiring of additional Border Patrol agents for the southwest border, decreased by $63 million the funding for the acquisition of unmanned aerial vehicles and helicopters, and decreased by $1 million the construction of forward operating bases for use by the Border Patrol. Every one of those programs that have been cut are effective in securing our border.

Even more egregious is that the House cut $100 million more than the President requested from the account that funds the construction of and repairs to the border fence. I support the President's request to rescind $100 million from the failed virtual fence project, but this money should go toward increased Border Patrol and Customs agents and technology. I do not support the House's effort to cut an additional $100 million in funding that is currently available and being used to complete construction of the border fence and repair the constant damage done to the fence by those trying to illegally cross into our country.

In summary, in the past 2 years, America has faced her greatest fiscal challenges since the Great Depression. When the financial market collapsed, it was the American taxpayer who came to the rescue of the banks and big Wall Street firms. But who has come to the rescue of the American taxpayer? Not Congress.

What has Congress done? We have saddled future generations with trillions of dollars of debt. Since January

2009, we have been on a spending binge, the likes of which this Nation has never seen. In that time, our debt has grown by over $2 trillion. We passed a $1.1 trillion stimulus bill. Has anybody seen any good things from that? We spent $83 billion to bail out the domestic auto industry. We passed a $2.5 trillion health care bill. We now have a deficit of over $1.4 trillion and a debt of $13 trillion. That amounts to more than $42,000 owed by every man, woman, and child in America.

This year, the government will spend more than $3.6 trillion and will borrow 41 cents for every $1 it spends. Unemployment remains around 9.7 percent. According to forbes.com, a record 2.8 million American households were threatened with foreclosure last year, and that number is expected to rise to well over 3 million homes this year.

Now with this bill, the majority wants to tack on another $80 billion. When is it going to end? It may end next January. It may end next January because the American people will not stand for this continued crime we are inflicting on our children and our grandchildren.

The greatness of America is that every generation has passed on to the next generation a better one than that generation inherited. I cannot say that about the next generation with the debt with which we have saddled them. This kind of legislation has to be soundly rejected.

I yield the floor.

The PRESIDING OFFICER (Ms. LANDRIEU). The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I am pleased to be on the floor this afternoon to join the Senator from Louisiana, who has been such a champion for small business in America, to join my colleagues from the State of Washington who were here earlier, to support the proposal that is before to address an issue that I have been hearing about in New Hampshire for months now. This is something that all Senators have been hearing about in their home States for the last 18 months if they are willing to be honest about it.

That issue is that creditworthy businesses, small businesses are frustrated because they cannot access the capital they need to expand their businesses and hire new workers.

Wherever I go in New Hampshire, small businesses tell me they are having trouble accessing the credit they need to either stay afloat or to expand their businesses. While the community banks have increased their lending in New Hampshire, they can only do so much.

As my colleagues have outlined so eloquently, they have been affected by the financial crisis that struck this country. We have an opportunity to address this issue with the Landrieu-LeMieux amendment that will create a Small Business Lending Fund to put capital into the hands of small businesses.

This $30 billion Small Business Lending Fund will help our community banks put over $300 billion of capital into the real drivers of our economic recovery and give to the small businesses that will make that happen.

I wished to be on the floor today, as we discussed earlier, because I have heard some of my colleagues—and we heard it earlier this afternoon from the Senators from South Dakota and Alabama—criticize this fund as being like TARP. It has been called the son of TARP. I voted against TARP. Let me say this as clearly as I can, something the Presiding Officer has said in her remarks, something we heard Senators CANTWELL and MURRAY say: This program is not TARP. This is not another Wall Street bailout.

I am going to support this fund because it is about helping Main Street, not Wall Street. Small banks and businesses in our communities did not cause the financial crisis in this country, but they have too often suffered the terrible consequences of the reckless behavior of Wall Street. Credit on Main Street has been extremely tight since the financial collapse, and that has devastated too many small businesses across this country.

One of the reasons our economy has not been able to emerge from the recession fully is that larger banks that benefited from TARP have decreased their lending. I heard from one small business owner in New Hampshire. He owns a sheet metal manufacturing company. The company had its line of credit pulled by a large national bank that had been a TARP recipient. This sheet metal company was a creditworthy business. It had never missed a payment. It had never defaulted on its mortgage. Losing that credit line was devastating for this business.

Similar to so many small businesses, it needed a line of credit to buy new equipment so it could make a transition and increase its productivity. But with the credit line gone, this business had nowhere to turn. It is companies such as the sheet metal manufacturing business in New Hampshire that this bill will address.

This proposal provides community banks, which have stepped up their lending but can only go so far, with the support they need to increase lending to small businesses.

Unlike TARP, this program has strong taxpayer protections to ensure the fund serves its purpose. The very structure of the program ensures that community banks that participate in this program will use the capital for small business lending. Only banks that do a vast majority of their lending to small businesses are eligible for this program, and unlike TARP, there will be terms and conditions for repayment. Taxpayers will not be on the hook.

This fund will not add to the Federal deficit. In fact, it is estimated to raise $1 billion over 10 years. The terms of the program will ensure that taxpayers will not be put at risk.

Let me say this one more time because there has been a lot of misinformation thrown out on the floor: The terms of this program will ensure that taxpayers will not be put at risk.

At the end of the day, this proposal is about standing for small businesses in this country. We have all heard from small businesses in our home States that have suffered from a recession they had no part in creating. This is our chance to stick up for the millions of creditworthy small businesses across this country that need capital to operate or grow but that have been shut out.

It is also about turning our economy around. Over 75 percent of new jobs in America are created by small businesses, and since the financial collapse, the majority of jobs lost have been with those small businesses.

If there is one place we should be able to agree to invest, it is our small businesses. If we do not extend credit to them, they will not be able to get the capital they need to expand and create the jobs that will finally get us out of this recession.

This is not TARP. Saying this program is like TARP is just a red herring. This fund is what we should have been doing in the first place—providing capital to community banks so they can extend credit to the small businesses that need this capital to create jobs on Main Street.

I urge my colleagues to join me in supporting the Landrieu amendment to include this critical investment.

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. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Madam President, I rise in strong support of the bipartisan amendment to the small business bill offered by Senators LANDRIEU and LEMIEUX. The amendment would make $30 billion of capital available to community banks across the country, incentivizing them to lend several times that amount to small businesses in desperate need of credit.

There is no question about it: Small businesses are the great engines of growth in our economy. They employ over half our workers. In the past two decades, they have created over two-thirds of the Nation's new jobs.

Our economy is starting to show signs of life again, but we still have a long way to go. The HIRE Act, especially the payroll tax cut Senator HATCH and I authored, has been a good success, saving businesses billions in taxes. I recently introduced a bill to extend the tax cut for 6 months.

Congress should be focused like a laser on bringing unemployment down and getting the economy humming on

all cylinders again. The bill before us today is an important part of that ongoing effort. It is a targeted bill that will help small businesses expand and hire.

The small business lending fund was once a part of the legislation. Actually, it was not merely part of the legislation, it was the heart of the legislation.

There are many worthy ideas and programs in this bill from bonus depreciation to increasing the loan limits on the SBA's flagship programs to providing grants to help States expand innovative small business initiatives.

These provisions will encourage entrepreneurs to start new businesses and help existing businesses prosper by reducing taxes and streamlining some of the burdens on small businesses.

But a core mission of this bill was always to jump-start lending. When I travel around New York and talk with business owners about creating jobs, the No. 1 thing they bring up is they do not have access to credit.

In his testimony before the Banking Committee yesterday, Ben Bernanke noted that while big businesses can borrow money by accessing the capital markets, small businesses must rely on bank loans and are having a much harder time. The Landrieu-LeMieux amendment goes to the heart of this problem. According to Bernanke, in a series of 40 meetings the Fed conducted with community banks and small businesses from coast to coast, participants expressed unambiguous support for the $30 billion lending fund.

There are several explanations for why small business lending is down. Small businesses blame the banks for not lending and banks in turn blame the regulators for not letting them lend. But one thing is certain: Lending is down, and that is bad for our economic recovery.

I hear from small businesses across my State, businesses that want to expand and cannot because they cannot get credit. For us to stand here and twiddle our thumbs and play politics by saying that this is the TARP? That is wrong. That is wrong, when millions are unemployed and the public is demanding get the economy going.

There are strong provisions in the underlying bill that will help spur lending, including an extension of the successful provisions from the Recovery Act that increased SBA loan guarantees and waived SBA loan fees. I believe the lending fund is a much needed complement to these programs. It will be a shot in the arm for small businesses across America, greatly increasing credit. The fund has been structured to maximize lending by directly tying the dividends rate participating banks pay to the Treasury to their lending performance. The rate starts at 5 percent and goes down 1 percentage point for every 2.5 percent increase in lending over the 2009 levels. Therefore, a bank that increases lending by 10 percent or more will be rewarded with rates as low as 1 percent.

In addition to this carrot, there is the stick. The dividend rate increases for banks that do not increase lending. Banks that attempt to sit on funds will be penalized with rates as high as 7 percent.

Another great feature of this amendment is that it targets small Main Street banks, banks that are especially committed to lending to small local businesses. To participate, banks or thrifts must have less than $10 billion in assets. In New York, banks such as Elmira Savings Bank in the Southern Tier, the Bank of Smithtown on Long Island, and the Oneida Savings Bank in the Mohawk Valley will be eligible for capital infusions, and all this will be done with no cost to the taxpayers.

Let me say that again: All this will be done with no cost to the taxpayers. In fact, the nonpartisan Congressional Budget Office estimates the lending facility would save taxpayers money. They calculate that the lending fund would decrease the deficit by over $1 billion.

Congress needs to do everything in its power to push a growth agenda, a jobs agenda. An integral part of this agenda is to increase lending to creditworthy small businesses. That is why I support the Landrieu-LeMieux lending fund amendment and that is why I also strongly support MARK UDALL's bill to increase the arbitrary cap on the amount credit unions can lend to their member businesses.

Here is the bottom line. Small businesses will be the tip of the shovel that digs us out of these difficult times but that will only happen if we get them the resources they need, and what they need is the Small Business Lending Fund in the Landrieu-LeMieux amendment.

I urge my colleagues to support this very important amendment and, before I yield the floor, I want to pay a great compliment to my colleague from Louisiana, who has spearheaded this drive. We all talk about small business lending. This is the best, most logical, most cost-effective way to do it and she is the reason we are here debating this bill. I want to take off my hat—hundreds of thousands of small business people across the country would do the same—to the Senator from Louisiana.

I yield the floor.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Louisiana.

Ms. LANDRIEU. Madam President, I thank the Senator from New York for those very kind words. But I wish to say again I am humbled, actually, to be able to present this amendment because it is quite unusual. Normally a chairman or a chairwoman presents amendments in bills that they themselves wrote. That happens here all the time. This is a very unusual situation.

As I said earlier today, I did not write this provision. I didn't know very much about this provision. It was written by Senators such as Senator MURRAY, Senator CANTWELL, and Senator MERKLEY. They started working on this idea. They are not even members of the Small Business Committee. They started working on this idea and it picked up momentum and the President spoke about the need to get capital to small business.

Then all the small business organizations, most all of them, stepped up and said, yes, this is what we need. Then the community bankers and the independent bankers stood up and it snowballed.

It has gotten to have a great broad base of support. I am pleased this is a bipartisan amendment with the Senator from Florida—both Senators from Florida have been strong advocates. Senator LEMIEUX joined me in offering this amendment because, for some inexplicable reason, this was going to be left on the cutting room floor.

We managed to get huge bills out here for Wall Street. We managed to get huge bills out here for the automobile companies. But when it came to lifting this smaller bill for small business, it started running into some political rhetoric, some bumper sticker slogans for the next election, some hogwash.

I think our small businesses deserve more than bumper sticker slogans, hogwash, and electioneering chatter. So it got me mad. I said, you know what, I didn't write this provision. I am going to learn about this provision, though, because I am not going to have it stomped under by the same people who voted for TARP, voted for the big banks, voted to bail them out but, when it comes to helping small business, want to say there is something wrong with this. That is why we are fighting.

I see the Senator from Oregon, who helped draft this provision.

The Senator from South Dakota came here and said none of his people are for it. He must not be reading his mail. We have right here the South Dakota Independent Small Bankers—Independent Community Bankers of America, State Community Bank Associations. There are any number of them. I checked. Here we have Independent Community Bankers of South Dakota.

The Senator from South Dakota was just here and said no one in South Dakota is for this. He might want to go check his in-box or e-mail or his mail. The bankers of South Dakota I don't think are a very liberal group, I would guess. They are a pretty hearty bunch out there in South Dakota. I don't think they like big, fat government programs. But the reason they are for it is because it is not a government program. It is a Main Street program. It is for small businesses in South Dakota. That is why we are fighting for it. We are not going to go down without a hard fight.

I am going to recognize the Senator from Oregon in a minute, but the other thing the Senator from South Dakota said was that he loved this report. He said it. He quoted it. The May Oversight Report, ''Small Business Credit

Crunch And The Impact Of TARP.'' The person who wrote this report is a good friend of his, Elizabeth Warren. So he is supporting this report in which Elizabeth Warren said in her view she is not sure this program will work. That is what this report says: She is not sure this program will work. She is entitled to that opinion. But I don't listen to Elizabeth Warren. I don't listen to Washington bureaucrats. I am listening to the small business associations of America. I am listening to the Taco Sisters Restaurant in Lafayette. I know it is a silly name, but it is a very important business to them. I don't care what anybody says about their name, Taco Sisters Restaurant. Katie and Molly Richard dreamed about opening a restaurant. For 24 years they dreamed this dream. Molly convinced her sister Katie to move back home from New Hampshire. She leased a small restaurant on Johnson Street in December of 2008 and opened in February. The restaurant smokes fresh gulf fish and shrimp. When we could actually fish for our shrimp and get our fish, they got it from the gulf.

Their restaurant was voted best new restaurant in Acadiana and best lunch spot in Acadiana. Do you know how hard it is to be the best in Louisiana when all of our restaurants are good? These little girls, these women, worked hard.

I want to tell the Senators from Alabama and South Dakota, they said:

> We have good credit, a good business plan, but we have had trouble finding capital to grow our business. I was surprised credit would be so tight for a business like ours . . . [because we are the best.] Our business has seven employees and would like to keep growing. . . .

We need capital.

And this troop over here wants to tell me that the amendment that Senator LEMIEUX and I are offering is a government program? This is for community banks. Because they want a bumper sticker to run on in this election they are going to throw the small businesses under the bus? Over my dead body.

The National Bankers Association, another very liberal group:

> In no segment of the U.S. economy is the need for lending to small business more urgent than in the distressed communities that our banks struggle to serve every day.

This recession which they did not cause—let me go back here. I feel like I am in Alice in Wonderland. The Senator from Oregon is being patient. Let me get this straight. Big banks, some big banks on Wall Street traded derivatives and entered into major risky finance deals that almost wrecked the entire economy of the world. They, on that side, ran all around themselves when George Bush was President to throw money at them, to help them, and we have restaurants in our districts begging for $10,000 to keep their doors open and they are going to stand there and tell this Senator that my amendment is a government program? This isn't a government program. This is trying to get money to Main Street.

If they want to vote against it, go right ahead. This is very clear. You can't hide behind this. There are no 100,000 pages of this bill. It is a very simple program—$30 billion to community banks that are healthy. It is voluntary. All you have to do is lend it to the Taco Sisters Restaurant in Lafayette so they can continue to be the best restaurant, despite the fact of the moratoria so there is a shutdown so there are no more fish in the gulf that we can fish for. These businesses are still trying.

Did you hear Senator CANTWELL read a story from some small business in her State that had to take out $60,000 on a credit card on which they had to pay 50 percent interest? Do we not hear them? We are trying to give the private sector a solution to put capital in community banks so that small businesses can get a loan at a decent rate and I have to listen to the ranking member of the Banking Committee say he is against it because it didn't go through the Banking Committee.

The last couple of things that came out of the Banking Committee have been a little bit problematic for me and many people, so I am glad this didn't come out of the Banking committee.

I see the Senator from Oregon. This is in large measure because of the design he has come up with, this idea, with several of my colleagues. I wish I could say I did it, because it is a good one, but I have adopted it because I am not going to leave it on the cutting room floor without a fight. It passed the House. Three Republicans voted for it in the House. Interestingly enough—of course all three of them are up in tough elections and I don't think they wanted to explain how they could vote for TARP, vote for Wall Street, but not vote for small businesses. This could be an interesting debate on the campaign trail.

The Senator from Oregon is here. Since he helped to actually write the program—as I said, maybe it is something I am not explaining well. Senator CANTWELL is quite the expert. Senator MERKLEY is quite the expert. Let me turn it over to the Senator.

I see Senator BURRIS from Illinois. Let me ask unanimous consent for the two of them to speak for the next 10 minutes as in morning business, and if a Republican comes we will swap back and forth.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Oregon.

Mr. MERKLEY. Madam President, I wish to start simply by recognizing the tremendous work the chair of the Small Business Committee is doing in championing commonsense strategies to assist our small businesses in being the job factories that they can be if they have access to credit. That is where the genesis of this bill comes from. The question we have heard in each of our States is: How can I, as a small business, gain access to credit when the credit markets are frozen?

We have done precious little to assist them. So often, we need to indulge in far less partisanship and a lot more problem solving. If one investigates what is going on in the credit markets for small business, one finds that the businesses have gone to their banks, and the banks have said, we are cutting your credit line in half or we are eliminating it.

The small business said, well, we have always made every payment. Yes, but we are in a land of frozen credit and we cannot extend the same amount of credit. When we give you that line of credit, it counts against our leverage, and we have to increase our capital holdings to meet the leverage requirements. So we are taking away or cutting in half or cutting by 90 percent your line of credit.

At that point, the small businesses go to other banks and find out the other banks are in the same position. These are community banks where often the principals know each other, they have worked together, the banks want to lend, the small business wants to borrow, they can see it is a profitable arrangement, but the banks are constrained by their leverage limit.

If there were not a credit crunch in this Nation, the bank would be able to recapitalize and then make additional loans. That is where we had a period of irrational exuberance, now we are in a period of irrational fear, and people do not want to recapitalize community banks, even when they are healthy.

Through much discussion with many thoughtful people from various parts of the country, various parts of the credit system, it became clear that the chokepoint was the capitalization of healthy community banks. This is why what this provision does is it provides for the recapitalization of community banks. Community banks will have to pay that money back.

A lot of questions were raised about this point, and I want to clarify some of them. The first question was: What happens if a bank that is going under is seeking a bunch of money to recapitalize? Will this program help them? Answer: No, it will not. Because only banks that have CAMEL ratings—those are ratings of how healthy they are—of one, two or three qualify. The banks have to be healthy, because this is ultimately not about saving banks, this is about getting capital into the hands of small business.

The second question that many have raised is: Well, will banks not just sit on the funds, and not make loans? Will they not hoard funds in case they have better opportunities as the economy recovers? And the answer is probably not. Because the program was designed so that when a bank recapitalizes in this fashion, they pay dividends. If they do not lend out the money, then they pay a high dividend of 7 percent. They are not going to make money sitting on funds in their bank and paying

7 percent. But if they make loans, then they pay a 1-percent dividend, so that puts them in a situation where they will make money if they make loans. So they will not even ask for the money if they do not intend to lend it. That was a thoughtful question for some of my colleagues to ask, would banks sit on these funds. It is important that we design this program so that they do not. And we did.

A third question came: Well, does this not put taxpayer funds at risk? The answer is, actually it does not, because we are not lending to unhealthy banks, we are capitalizing healthy banks. The Congressional Budget Office estimates that this will make $1 billion, over $1 billion for the U.S. Treasury. That estimate does not include the taxes that individuals will pay on the wages they earn because small businesses are able to hire. That estimate does not include the taxes that small businesses will pay on their profits which will be higher when they are able to expand. So that is a bottom-line positive return that could be far larger when you take into account the impact on employment and the success of small businesses.

Other folks have asked another question: Why get lending into the hands of our small businesses through the hands of community banks? Why not create some government organization to do it? Well, very simply, banks are on Main Street. It is their business to know what works and what does not work. They know the principals involved. They know the local market dynamics. You do not want to set up a government agency to distribute loans when you can have the power, the knowledge, the wisdom, of community banks making smart decisions.

Then finally an additional question was asked: Well, will banks not make loans that maybe are not a good bet if they have this additional capitalization? Well, actually, no, they will not, because, first, they are not required to be recapitalized in this fashion. And if they do make loans through this system, they are not guaranteed loans.

When you have a guaranteed loan, you are saying to someone: You bear no risk. But these loans are not guaranteed. This is a bank doing its standard lending. In that standard lending, they make money if they make good loans, and they lose money if they make bad loans. So they have absolutely no incentive to lend, because if a loan goes under, the bank is hurt. It is all the power of a smart path to getting capital into the hands of our small businesses.

I guess my request to all of my colleagues is to ask yourselves if we are going to ever get out of this recession if we do not unleash the power of small business in America to create jobs. Please ask yourself, is it possible to unleash the power of small businesses if the small businesses do not have access to credit, and, therefore, if you believe in small business, if you believe in job creation, if you believe in strengthening communities through successful businesses and employed families, then this plan makes a lot of sense.

I will close with this thought: Let's bring commonsense problem solving to the challenge of putting America back on track. Let's set partisanship aside, let's set thoughts about the November elections aside, and let's engage in commonsense bipartisan problem solving, and this program makes all the sense in the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. BURRIS. I want to echo the sentiments of the distinguished Senator from Oregon. His comments are very well taken.

I also rise to support the distinguished Senator from the great State of Louisiana in her efforts to deal with this amendment to add to the small business legislation, of getting this $30 billion out to the community banks so they can put those dollars in the communities.

For the past 2 years, this country has been held in the grips of an unprecedented economic crisis.

The housing market collapsed. The bottom dropped out of Wall Street. And for the first time in generations, many Americans felt their hard-earned economic security begin to slip away.

Here in Washington, Members of the House and Senate were faced with a harsh reality: For decades, regulators and policymakers alike had fallen short of their responsibilities. A divisive political process drove them to duck the tough issues, and kick the can down the road, time and time again.

This failure of regulation, and the absence of political will, allowed Wall Street fat cats to let their greed get the better of them. They gambled with our economic future. They designed complicated financial products and placed high-stakes bets against them. In short, they built a house of cards, and when it finally came crashing down, the American economy lay in ruins.

There can be no quick fixes after a disaster of this magnitude. But under President Obama's leadership, our elected leaders finally took the bull by the horns and did what was necessary to stop the bleeding, and set our country back on the road to recovery.

I was proud to join many of my colleagues in supporting the American Recovery and Reinvestment Act—a landmark stimulus bill that helped reverse the rising tide of economic misfortune. Thanks to this legislation, and to the landmark legislation that was signed into law just yesterday, that created the most sweeping reform of Wall Street since the Great Depression, we are on the road to recovery. But as anyone in this chamber can tell you, the real key to a full recovery is jobs. And no sector of this economy creates jobs more effectively than small businesses.

Long before I ever entered public service, I was a banker. I know firsthand what it takes to support our small business community because I have done it.

This is a time for bold action. Not pointless ideological battles. This is a time to move forward, not back. So I call upon my colleagues to seize this opportunity. Let's keep America on the road to recovery and restore the hard-earned security of ordinary folks and small business owners who are in desperate need of help.

We should start by increasing our support for small businesses, especially those owned by disadvantaged and minority individuals. These companies foster progress and innovation. They have the power to create jobs, and direct investment to local communities, where it can have the greatest impact.

Small businesses form the backbone of our economy, but in many ways, they have suffered the most as a result of this economic crisis. It is no secret that minority-owned businesses, particularly those in poor or urban areas, have been hit hardest by the current economic downturn. That is why these are the areas we should target for our strongest support.

We can rely on a proven initiative to inject new life into disadvantaged areas. So I would ask my colleagues to support the Small Business Lending Act. I would ask them to reject the tired politics that got us into this mess, and embrace the spirit of bipartisanship that can lead us out.

On behalf of small and minority-owned businesses, I call upon this body to take action. Our economic future may be uncertain, but with the Small Business Lending Act, we have the rare opportunity to influence that future.

So let's pass this measure, to guarantee some degree of relief for the people who continue to suffer the most.

Let's renew our investments in America's small businesses, and rely on them to drive our economic recovery.

And let's do so today.

I have financed them from scratch. They would walk in to me and say, look, I got an idea. I love to do this. Let's get a business plan together. Where do they get the capital from to create the jobs that are needed? They get it from the bank giving them credit, taking some equity from them, getting some investment from them. That is what I have done.

I stand on this floor, with successful lending from banks to small companies. It created jobs. Some of them are still in business today, some 40 years later. Some of them have been sold off and bought off by big Fortune 500 companies. They were able to start from scratch.

I know what it takes in a small community to lend to small businesses. Now we are up here talking about, we are not going to put in resources. This is not going to cost us any money. The

taxpayers are due to support these types of efforts. That is what we are here for. The purpose of government is to do for those which they cannot do for themselves.

Now we are debating on this floor whether we are going to put the money into helping small businesses, give it to the banks to lend to the small businesses, so they can then go out and hire people. This ought to be a no-nonsense vote. It makes no sense what we are doing on this floor, debating this issue at this time, when this economy is in this condition.

So having lent money to small businesses, having been a banker, where your stripes depended on many good loans you made, I have been there, and I support this legislation 100 percent. If we can put those resources into those banks, that will then put them into the community, the banks are not going to be out there giving this money away. This is not charity. It is going make money for us. So let us wise up. Let us make sure we support this amendment, pass it now, and get on to the business of helping small businesses.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Madam President, I rise to speak about the vote that is coming up soon, the Landrieu-LeMieux amendment to the small business bill that is before us.

First, I want to say that I respect tremendously both Senators. I have enjoyed working with them on so many issues. Many of us in the Congress have worked over this last year to end the TARP that went in place during a time of a financial system meltdown. I supported that, as did many in this body. Seventy-four Senators voted during a time of critical stress in our country's financial system to put that in place.

I also have pushed hard to end that program as soon as it was unnecessary, and many of us have tried to end it. Finally that was done when the financial reform bill that passed a couple of weeks ago, or this last week passed and became law yesterday.

A lot of times around here we go through this process of erosion; that is, an idea will come up, and it is embraced for one issue, and then, over time, as happened with TARP, as a matter of fact. TARP was there to rescue our financial system so that small businesses, people all across our country, could continue to get payroll checks and do those things our financial system provides.

Then it became perverted. Industrial policy was embraced after that, something that was not the intention of TARP. Now we have another perversion of that by virtue of this amendment that has been put forth. Many of us were very concerned about the steps that were taken under TARP during that crisis. We felt it was a crisis and it was necessary. But in many ways, this is more insidious, because not only is the government making an investment in final institutions across this country, it then is telling those institutions what to do with that money.

I know that small businesses across this country are hurting. I have been a small businessman most of my life. As a matter of fact, I still am a small businessperson. I still have small business interests. I understand what it means to be a small businessman. I understand what it means to not have access to credit, to have difficulties during crises such as this. I lived through one in 1990 and 1991, and had great difficulties, as so many people are having today.

We have had a tremendous explosion in government involvement in the private sector, something I do not think many Americans ever expected to see. I think the last thing we need to do now, as Americans are retrenching, as the economy is beginning to grow, is to take another step back in this direction.

I cannot more strongly object to the LeMieux-Landrieu amendment, even though I respect them very much. I urge Members who believe in our market system and want to see us move ahead with a healthy economy, I urge all such colleagues to vote against this amendment. It is another step in a direction that the majority of the country wants to move away from.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. I appreciate the comments of the Senator from Tennessee. I couldn't agree with him more that this amendment should not be adopted, should not be added to the small business bill. We have had a number of people coming to the floor to speak on the amendment. The Senator from Louisiana made a couple of observations after I spoke in opposition to the amendment, one of which was that Republicans have evidently some newfound affection for Elizabeth Warren. I don't think that is the case. In fact, she is the rumored choice of the administration to head the new Consumer Financial Protection Agency. The observation I was making was that she, who most of us perceive to be somewhat more on the liberal side, had made strong statements about this particular small business lending finance program and compared it to TARP. She also pointed out that the capital purchase program under TARP had very mixed results with regard to whether it encouraged banks to participate and lend. It also carries with it, as TARP did, an inherent risk that taxpayers may be left on the hook.

It has been that this will be a revenue raiser, that this, the $30 billion TARP, is going to actually generate a $1 billion budget surplus. The Congressional Budget Office was directed to score this differently than they were the original TARP. If the same accounting conventions were used and applied to this particular program and the calculation including market risk, we would have a $6 billion cost attached to this $30 billion TARP rather than a $1 billion budget savings.

There was the suggestion that there isn't any risk to taxpayers. Anytime we are putting $30 billion out there, granted, it may be well intended, but we all saw what happened with TARP. The expectation with TARP is that it will lose about $127 billion for taxpayers. We hope it is less, but that is the estimate today. It is fair to point out again that people who come into the Chamber and believe they are voting for something other than TARP are misleading themselves. If we line this up with the way the TARP was structured, side by side, it is check, check, check, right down the line. This is the same essential thing. To call it something else is all fine and good, but that is what it is. This is a TARP. It is a reincarnation of TARP, intended for small businesses and smaller banks, which is all fine and good, but make no mistake. If we vote for this, we are voting for a TARP. That poses risk to taxpayers.

There was the suggestion that somehow I don't know what my bankers in South Dakota think. I think most of us who represent our States try to stay informed about the views of our constituents. I sat down with a number of my bankers 2 days ago. They were clear this is not something they are advocating for nor do they need. They had other issues they wanted to talk about. We have not had contacts in our office advocating for this. Most of us represent our States in a way that we have a pretty good idea of what the views of our various constituencies are. At least where South Dakota is concerned, this is not something South Dakota bankers are asking me to do for them. They do have concerns about the financial services reform bill passed last week and signed into law. That is something they have deep concerns about. But this is certainly not something they are advocating for.

Inasmuch as we all want to do the right thing for small businesses, the best thing we can do for them is get off their backs, quit putting taxes and mandates and regulations on them. They are looking at the prospect next year of a huge tax increase, when tax rates go up. They are looking at a potential new energy tax, if a cap-and-trade bill were to pass. They are trying to figure out what is going to happen with the estate tax. They already have a new health care mandate that will put no cost burdens on them and raise the cost of doing business. Those are the types of things that will impact small businesses' ability to create jobs. Those are the things we ought to be focused on. Creating a new TARP is not going to be the answer that many of my colleagues who support this amendment think it is.

I urge colleagues to vote against this. I suggest we look at the things we can do that do impact small businesses.

Most of what we are doing in Washington right now is detrimental to economic growth and job creation.

Mr. CORKER. Will the Senator yield?

Mr. THUNE. Certainly.

Mr. CORKER. I was listening to the Senator. The fact is, this carries, in many ways, a greater risk. I would call this son of TARP. This carries a greater risk than the original TARP because the terms under which this money is given to banks is at a lesser rate. So that means the money that is paid back, there is less margin to cover losses. In addition, banks can continue to lower the cost of that capital by putting money out quickly to small businesses. Again, we like to see small business credit expanded, but we like to see it done in a market and healthy way. I hope Senator DODD will have hearings. My guess is he will over the next several months. But in many ways it is more risky because the rates are lower. The more money we put out, there is going to be a perverse incentive for banks to put money out quickly in ways that could be at a higher credit risk. This is far riskier than the first program.

Again, I know there are good intentions. All of us want to see small business thrive. All of us know that 80 percent of the new jobs are created through small business. I know the Senator and I have done as much as we could while we have been here to try to get government off the backs of small business.

What I would say to small businesses—and I don't think many of them support this, but to those that do—be careful what you ask for. Once the U.S. Government gets involved in our financial system in this way, putting money out and then directing where it goes, we know how the camel's nose under the tent works in government. We understand what it means for the Federal Government to get more involved in our community banks. I know I had one in particular, when I was in Tennessee, say he wanted me to look at this because he wanted to use these funds to replace TARP funds they had not been able to pay back yet. I don't think this is a good step. I don't think there are many people who support it. I know this probably has some political mileage in this body because it does address an issue we care about, small business. But it is a bad idea directed at something we all support; that is, small business growth. Again, I urge rejection of this amendment.

Mr. THUNE. Mr. President, to the Senator's point about this perhaps acting as an encouragement for lenders to get money out the door quickly, perhaps with assuming more risk than perhaps they should, I wish to point out, again—and because I am quoting Elizabeth Warren, somehow there was an implication earlier that Republicans have a newfound affection for her, but she is someone whom the Democrats look to extensively when it comes to advice on these issues. As the head of the congressional oversight panel, in their assessment of TARP, particularly with regard to this specific program, the small business lending fund, they said it ''runs the risk of creating moral hazard by encouraging banks to make loans to borrowers who are not creditworthy.''

This is not something that many of us are making up. Clearly, there are those who are very concerned that this could become not unlike what we saw with the original TARP, which there are still a lot of concerns about. Many of us who voted for that the first time around thought it was going to end up as something different than it was. I don't think we need to go down that path again.

Mr. CORKER. Elizabeth Warren is a smart person. There are things I agree with her on, and there are things I disagree with her on. But on that point, I absolutely agree. If we think about the moral hazard issue, that means a business that wants to run its business the way America generally has run business—on their own, they don't want to be involved in government support—they would be at a disadvantage. That is the other moral hazard. An institution in Tennessee or South Dakota that wants to go out and lend more money to small business and goes out and raises equity to do so, that equity is going to cost more than this. So a bank that chooses to take advantage of a government program actually has an advantage over a company that wants to run itself the way most Americans want to see small business and companies run. There are all kinds of moral hazards. I know the notion of small business attracts a lot of people. I hope people on both sides of the aisle will think about this, realize how insidious this is, think about the next idea that comes after this. Again, it is another government investment into the private sector.

We have gone from systemic risk to auto companies, to suppliers of auto companies. Now we are looking at going into small business. We sure have gone the gamut here. It is time to go the other way. Tennesseans have spoken loudly about the fact that they don't want to see any more government involvement in the private sector. It is time to stop it now. We thought we had it killed last week with financial regulation when TARP ended. Now it is raising its head again.

Mr. THUNE. I hope we will defeat this today because there is moral hazard associated with it. We want to do the right thing by small businesses. I have named several things small businesses are concerned about—cap and trade, more government takeovers, more Federal spending and debt and higher taxes and more mandates through the health care bill passed earlier this year. It is important to keep in mind in this debate the taxpayers. Anytime we talk about a program such as this, there are inherent risks. Again, to use the accounting methodology that CBO used when they scored the original TARP, if they used that accounting convention which takes into consideration market risk, this program would be a $6 billion cost rather than a $1 billion savings, as proponents of the amendment advocate.

This is about taxpayers as well as small businesses and small banks. This is not the correct way to help them. I hope our colleagues in the Senate will reject the amendment.

Mr. CORKER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BURRIS). Without objection, it is so ordered.

BUDGET DEFICITS

Mr. DORGAN. Mr. President, there has been a lot of discussion on the floor of the Senate in the last couple of days about small business legislation and various things dealing with jobs, and clearly we need a lot of jobs in this country. We have gone through a very steep economic decline that has victimized lots of Americans. Because of that, we have a lot of people who are waking up in the mornings without work and wondering what to do next. They feel helpless and hopeless and are trying to get their feet on the ground. But they need some help from this Congress; that is, we do not create jobs, but we do create conditions under which jobs can be created by the private sector.

So I want to talk a little about the issue of what might give the American people some confidence because confidence is everything. If they are confident about the future, it means our economy can expand. If people are not confident about the future, our economy will contract. It is that simple.

There is no question that this country now, having gone through the biggest economic downturn since the Great Depression, has the largest Federal budget deficits we have ever had. In the last couple of years there have been enormous budget deficits. In fact, the budget was in deficit by $1 trillion by the end of June in this fiscal year.

But our colleagues—some of whom voted for all the war funding over these last years and voted for the big tax cuts to reduce the government's revenue, and all of those issues—are now rushing to the floor with everything but suspenders and proclaiming that now the deficit is a big problem.

Well, I will tell you why it is a big problem. It is a big problem because 10 years ago a lot of folks in here decided to cut the revenue steeply, and cut taxes mostly for wealthy Americans, and cut them in a very significant way. So the government had less revenue. They did that because they believed we

had budget surpluses that were going to exist for 10 years.

We had not had a budget surplus for 30 years in this country. We ran deficits for 30 years. Then, all of a sudden, at the end of the Clinton administration, we had a budget surplus of a couple hundred billion dollars. I am pleased about that because I voted for the economic plan that helped create that. We put that in place in the middle 1990s, and we got to a budget surplus.

When that happened, in the year 2000 we had a bunch of folks say, when a new President came into office in 2001: Do you know what? We have a budget surplus. We have a bunch of hotshot economists telling us we are going to have budget surpluses as far as the eye can see. We are going to have budget surpluses for the next 10 years.

Then Alan Greenspan, the Chairman of the Federal Reserve Board, said he could not sleep because he was worried we were going to have surpluses too large and we were going to pay down the Federal debt too quickly. That is right. I know it sounds like a joke, but the Chairman of the Federal Reserve Board worried we would pay down our debt too quickly.

So the President came to town in 2001 and said: Let's have very big tax cuts, and I and others said: Let's probably not do that because at this point we don't know what is going to happen for 10 years. We had economists who could not remember their telephone number for 3 hours telling us what was going to happen for 10 years.

So they said: We are going to have 10 years of surpluses. Let's have very big tax cuts. So the President constructed very big tax cuts, mostly for the wealthy, and here we are. What happened as a result of that? Well, almost immediately we were in a recession in 2001. Then we had a terrorist attack against this country in September of that year. Then we were at war in Afghanistan and at war in Iraq and in a war against terrorists.

So we sent hundreds and hundreds and hundreds of thousands of soldiers abroad, and we rotated them in and out for 8 years and never paid for a penny of it because the President said: We are going to spend emergency funding, which means we do not pay for it; we just put it on the debt. We did that for a decade.

Now, all of a sudden, all the people who voted for the same things—that is, tax cuts for the wealthy and deciding to send soldiers to war without paying for it—now we hear all this bloviation about how the debt is important. Well, yes, it is important. It was important when they voted to cut taxes for the wealthy as well. It was important when we decided to fight two wars and not pay for a penny of it. The fact is, it is unsustainable now, and we have to find ways to fix it.

It is interesting, yesterday, I came to the Senate floor because one of my colleagues came to the floor and said the priority is to eliminate the estate tax. That is the priority. He did not say that. He said ''eliminate the death tax'' because a clever pollster said: If you say ''death tax,'' it invokes a lot of passion. So we are going to eliminate the death tax—not understanding, apparently, or not caring, perhaps, that there is no such thing as a death tax.

When you die, there is no tax on your death. In fact, had I been on the Senate floor when my colleague mentioned that—I know my colleague is married—so I would have asked: God forbid something should happen to you. But if it did, tell me what would happen to your estate because I know the answer.

The answer is, his spouse would inherit the estate, no matter how large, tax free, because we have a 100-percent spousal exemption. So that Senator's death would have, obviously, been nontaxable.

So where is the death tax? We do not have a death tax. We never had a death tax. We have a tax on inherited wealth. That is what we have. So my colleague said, the most important thing at the moment, while we are deep in debt in the country—and with a growing debt and a need to control the debt—the most important thing at the moment is to get rid of the death tax, which means you want to provide tax breaks for billionaires.

I did not vote for the proposal in 2001 that put us on a course of changing our tax system with very large tax cuts for the wealthy and reducing the estate tax obligation so that it came down to having zero estate taxes in 2010 and then spring back to a higher estate tax in 2011. I did not vote for that. I thought it was about half nutty. But it passed. Enough people thought, apparently, it was OK, so they voted for it.

So now, last year, we had an estate tax that had an exemption of $7 million for husband and wife—$3.5 million each—and a 45-percent rate.

This year, the estate tax went to zero; that is, nobody has to pay any estate tax. So we have had four billionaires die this year. The late George Steinbrenner died, the owner of the Yankees. So his estate will not be taxed—well over $1 billion.

I have said, this is the ''throw mama from the train year.'' You know the movie ''Throw Mama from the Train.'' This is the year—if somebody has to go, I guess, especially billionaires, they get to pay no taxes this year. Then the estate tax is supposed to spring back to a $1 million exemption, husband and wife, and a 55-percent rate.

So my colleague and others now say the highest priority for them is to eliminate the death tax. This year, we will have lost about $15 billion in revenue because there is no estate tax. That is just this year. Over 10 years, it is a very substantial amount.

Who is going to benefit if you eliminate the estate tax? Well, if under last year's law you had to have $7 million in total assets to pay an estate tax, how many people would pay it? Very few, less than 1 percent. In fact, I think it is three-tenths of 1 percent of the American people would ever pay an estate tax. Now we are told the highest priority is to eliminate the estate tax, which means that America's billionaires are going to be given a tax break, and those who want to do it say we want to do that because they should not be taxed twice. Well, they are not taxed twice.

That estate, in most cases, has never borne a tax. Most of it is growth appreciation from stocks or bonds or property and has never borne the tax that most people have to pay.

A lot of people get up in the morning and put on their clothes and go to work, and they work at a manufacturing job all day—although there are fewer these days because we are moving those jobs to China—but they get up and go to work and then they come home and they have withholding on their paychecks and it says they paid taxes. They have to pay taxes for kids to go to school and to build roads and to pay for the police and to pay for the Defense Department and so on—the Centers for Disease Control. They have to bear a burden as an American citizen to help pay for the things we have together.

But if we eliminate the estate tax, we say to, for example, Bill Gates—when Bill Gates expires—that $50-some billion or $60-some billion of yours, most of which has never had any kind of a tax burden at all, we believe it ought to be tax free. That is the highest priority?

I used the word ''nutty'' before. Let me state again that is just nutty. What are you thinking?

Here is something I quoted yesterday from Will Rogers. Will Rogers, 80 years ago, had it right, and it certainly applies to some in this Chamber for sure. Will Rogers said:

> The unemployed here ain't eating regular, but we'll get around to them as soon as everybody else gets fixed up OK.

Well—do you know what?—go back about 18 months and just figure out who got fixed up in this country, who got fixed up OK. Do you think the folks at the top of the economic ladder get fixed up? Yes, yes. In fact, the lowest unemployment rate in America is those at the top of the economic ladder.

There is a pretty low unemployment rate actually in the Senate, now that I think of it. We all get up in the morning and put on a white shirt and a suit and a tie, and we all eat three meals a day.

But the people at the bottom of the economic ladder—those 5 million Americans who have lost the manufacturing jobs, the people who are looking for jobs and cannot find them, when we are 20 million jobs short; the people who have been laid off, professional people who, in many cases, were laid off and have been searching for work for 2 years and cannot find it—they are the people who seem somehow forgotten.

So now we have a priority by some in this Chamber of saying we have to get rid of the death tax—a tax that does not exist. In a bill they filed that would only benefit largely billionaires in this country. It is unbelievable. It is just unbelievable.

I do not know, maybe the people who are out of work need to change their names. There are names that signify wealth, at least it sounds like they are from a family that inherited wealth. But it just seems to me to be something that is pretty much in sync with what Will Rogers said a long time ago in terms of what is happening here. The people at the top get fixed up pretty well, and the rest do not matter much. That is a pretty pathetic set of priorities, in my judgement.

TRIBAL LAW AND ORDER ACT

Mr. President, I want to say a word about a piece of legislation the Senate has passed and the House has passed and ought to make all of us feel as if we have done something very admirable and something that is going to save lives. So let me do that in a very positive way.

The Tribal Law and Order Act, which we passed—I passed, along with a lot of help from the Indian Affairs Committee, and the Senate passed—now the House has passed that legislation. That will now be signed by the President into law.

Why is that important? Well, let me give you an example. On the Standing Rock Sioux Indian Reservation—that straddles North Dakota and South Dakota—the rate of violent crime is not double or triple the national rate of violent crime. That would be pretty tough to live in a neighborhood where you have double or triple the national rate of violent crime. It is eight times the rate of violent crime for the rest of the country.

Live in that circumstance. Be a young child going to school or be an elder trying to get along and live in a neighborhood, live on a reservation, live in a circumstance where the rate of violent crime is eight times the national average. The stories we have heard at the hearings we have held are unbelievable.

On the Standing Rock Sioux Indian Reservation—it is almost the size of the State of Connecticut—they had nine full-time police officers to patrol over two million acres of land. It is not possible to do a good job with so few officers. In one area of that reservation, a violent sexual rape, a crime in progress, a robbery, and a call to the police might get someone there later that day, or it might be the next morning, or days later—nine police officers to patrol that land 24/7. That does not work.

We have passed a piece of legislation that I think is very good, the tribal law and order bill. It is bipartisan. I am proud of that. Senators JON KYL and JOHN BARRASSO worked with me to get this legislation through the Senate. Let me mention cosponsors JON TESTER, MAX BAUCUS, MARK BEGICH, MICHAEL BENNET, JEFF BINGAMAN, BARBARA BOXER, MARIA CANTWELL, MIKE CRAPO, AL FRANKEN, TIM JOHNSON, JOE LIEBERMAN, JEFF MERKLEY, LISA MURKOWSKI, PATTY MURRAY, DEBBIE STABENOW, JOHN THUNE, MARK UDALL, TOM UDALL, RON WYDEN—so many. But there are so many who worked so long to try to respond to these problems.

The legislation deals with cross-deputization of law enforcement officers on Indian reservations and those off the reservation. We deal with the tribal court system and a wide range of provisions that we put in this legislation that are going to make a very big difference.

I have said on the floor previously that violence against American Indian and Alaska Native women has reached epidemic levels. We have heard it in the hearings and the testimony. One in three American Indian and Alaska Native women will be the victim of rape during her lifetime—one in three. That is an epidemic of violence.

We held 14 hearings in the Committee on Indian Affairs, which I chair, relating to public safety on Indian lands over the past 3 years. I had staff go across the Nation consulting with tribal governments and local law enforcement. Based on those consultations, we put together a piece of legislation that I think will make a very big difference. It strengthens the tribal justice system. It provides tools to law enforcement officers on the Indian reservations.

It will require the U.S. Attorney's Office to do its job. Violent crimes on Indian reservations are to be prosecuted by the U.S. Attorney's Offices, and in most cases those offices are many, many miles away from a reservation. Crime on Indian reservations becomes just a part of the backwater of work in those offices. We have information that 50 percent of murder cases on Indian reservations are declined for prosecution. They call them declinations. Think of that. In 50 percent of the cases, there is a declination of prosecution for the charge of murder. Nearly three-fourths of the cases for sexual assault are declined to be prosecuted. That is not fair, it is not tolerable, and we shouldn't stand for it.

We had a hearing with Chairman Herman Dillon of the Puyallup Tribe in Washington, who testified about the gang activity crisis on their reservation. There are 28 active gangs on that reservation, with members as young as 8 years old. The gangs are involved in drug trafficking, weapons sales, and turf wars where innocent bystanders are injured. This piece of legislation is going to increase the number of law enforcement personnel on reservations and provide better law enforcement training for those personnel.

I won't go through the stories we have heard, but they are unbelievable. There are a whole lot of victims out there living in Third World conditions on Indian reservations where they have inadequate health care, housing, and education. We have worked on all of those issues.

I am proud to say we passed the Indian Health Care Improvement Act earlier this year. It is now signed into law. We did that this year. It is the first time in 17 years that the Congress has dealt with those issues.

Now we have passed the Tribal Law and Order Act. This is the most significant of policy changes and legislation affecting the first Americans that has been passed in decades. I want to say to my Republican and Democratic colleagues who worked with me to accomplish this that I believe lives will be saved because of this legislation. I believe this will make a profound difference across this country in addressing these critical issues.

We have had hearings about Mexican drug cartels now running drugs through Indian reservations. I just described the circumstances of gangs.

There is so much that needs to be done. Finally, at last—at long, long last—we start down the road of improvement by having passed this legislation. I talked to President Obama yesterday and mentioned the passage by the U.S. House of our bill. He campaigned on this issue. It was very strongly supported legislation, and I know he will take great pride in signing it.

Finally, with all of the competition and tension, sometimes, between the House and the Senate, let me say how much I appreciate the work the House of Representatives did on this legislation.

Let me make one final point about Indian policy as I complete my statement. There is one other issue that is out there that I think desperately needs to be resolved, and that is something called the Cobell lawsuit. It has been languishing for 15 years. Last December, there was an agreement reached between the U.S. Government and the Indians in the Cobell case. We were given 30 days in the Congress to approve the settlement, and it has not happened. We must, must, must find a way to make that happen soon.

I showed a picture of a woman living on an Indian reservation with oil wells that were hers that she could see from her house, and she lived in a very small house. Why is that the case? Because she didn't get the money from the oil wells she owned. The U.S. Government created trust accounts for Indians, and manipulated those trusts, stole from those trusts, lost the records from those trusts over 150 years, and that is what resulted in this lawsuit called the Cobell lawsuit. It has gone on for 15 years, and a good many Indians have died while that lawsuit has gone on who should have benefitted from that lawsuit.

There was a settlement agreement reached last December between the parties. We were given 30 days by the Federal court to approve the agreement, and now it is 6 months later and

nothing has happened. The first Americans don't deserve this treatment. I hope very soon that the Cobell settlement will be a part of a piece of legislation that is passed by the Senate.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Ms. LANDRIEU. Mr. President, I don't think we are under any time agreement. I think the leadership is coming to talk about how we might vote tonight because we have a couple of very important votes to make tonight, if I could speak for the next 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, before I speak about the underlying amendment, the small business amendment——

Mr. DORGAN. Mr. President, will the Senator yield for a question?

Ms. LANDRIEU. Yes, I will.

Mr. DORGAN. I apologize for interrupting the Senator. I didn't catch what she said about votes. Has there been a decision made about votes?

Ms. LANDRIEU. I don't have the final details, but I understand we will be voting sometime tonight, in the near future, on several different amendments that have to do with potentially the supplemental bill and potentially the small business bill, but the good Senator might wish to check with somebody a little above my pay grade.

Mr. DORGAN. Well, that is actually fairly specific, though. It was sometime later about some things. I appreciate the Senator for responding to me.

Ms. LANDRIEU. I am just in charge of one amendment, but I thank the Senator.

Mr. DORGAN. I understand.

Ms. LANDRIEU. Mr. President, I have spent the better part of this day on the floor with many of my colleagues speaking about the small business jobs bill that is so important, and I would like to give credit to some of my Republican colleagues. They have worked very hard on portions of this bill, and I am very grateful. A portion of it came out of the Small Business Committee with a lot of bipartisan support; a portion came out of the Finance Committee with bipartisan support; and this amendment I am offering is a bipartisan amendment. Senator LEMIEUX, the Senator from Florida—in fact, both Senators from Florida have been extremely supportive. The Senator from Florida and I are the lead sponsors of an amendment that has over a dozen cosponsors. The Presiding Officer, a member of the Small Business Committee, is a cosponsor of our amendment, and I am so grateful to the Senator from Illinois for his input into the bill.

This is a very important amendment to the small business package. The House has already voted on the package of the small business bill. They had a strong vote, and it was a bipartisan vote. Three Republicans voted in the House, including my own Congressman from the city of New Orleans, and the Congressman from Delaware and the Congressman from North Carolina also voted for the small business package with the three components: the $12 billion tax cut for small business—and they most certainly need it—the other part which strengthens the Small Business Administration's programs, and they voted for the Small Business Lending Fund.

So that bill, of course, has come over here. Because there was really inexplicable opposition from many of the Republicans, we have had to go into a little different strategy, offering the lending fund amendment separately. I am very confident we will have the 60 votes because Senator LEMIEUX has stepped up from Florida. I see the other great Senator from Florida on the floor, who has been a great supporter of this amendment. What they know, what I know, what Senator CANTWELL knows, what Senator MERKLEY knows, what the Presiding Officer knows is that without this amendment, small businesses throughout America are still going to have a very difficult time getting the capital they need to expand and grow.

Small businesses did not cause this economic meltdown. Our community banks did not cause this economic meltdown. The ripoffs, the meltdown, the dysfunction of our financial system was caused by big banks that took risky positions on instruments they couldn't explain, and then they made up more, and the system collapsed like a house of cards. But do we know who is paying the price, unfortunately, besides the taxpayers? Small businesses and our community banks.

Hundreds and hundreds of letters have come from the community banks. This one we will put up said:

> Majority Leader Reid, Minority Leader McConnell, on behalf of 5,000 members of the Independent Community Bankers, I write to urge you to retain the Small Business Lending Fund in the Small Business Jobs Act. The Small Business Lending Fund is the core component of this legislation and the provision that holds the most promise for small business job creation in the near term. Failure to even consider the SBLF in the Senate would be a missed opportunity that our struggling economy cannot afford.
>
> The Nation's nearly 8,000 community banks are prolific small business lenders.

A report I submitted for the RECORD earlier said this: We gave—and many Republicans in this Chamber gave—lots of money to the big banks. Do my colleagues know what they did? They cut their lending to small business. These small banks that hardly got anything from TARP tried to keep lending the best they could. But then we sent them more regulations, their capital is getting squeezed, and if we don't provide additional capital to healthy banks, we are not going to get lending to small business. That is what these community bankers are saying.

The opposition has come to the floor and said this is TARP II. Let me say again, this is for Main Street. We have a Main Street sign. This is for Main Street. This is for small business. TARP is the Troubled Asset Relief Program, $700 billion for big banks on Wall Street. This is a Main Street program for healthy banks to lend to small businesses that are on Main Street. It is a $30 billion program that will earn, according to the CBO, $1 billion. It doesn't cost the taxpayer as TARP did; it saves the taxpayer money, and it actually puts $1.1 billion into the Treasury at the end of 10 years. That is what the CBO score said.

Two people came down—one, Senator SNOWE, for whom I have a lot of respect, and the other, the Senator from South Dakota—both came down and said: But our estimate is that it will cost $6 billion. I appreciate their estimates, but the only estimate we go by in this Chamber is CBO. They are entitled to their own estimates, but I want people to know that the only score that matters is the official CBO score. We have the official CBO score. It doesn't cost money; it makes $1.1 billion. They are entitled to their opinion.

So it is not TARP, it does not cost the taxpayer money, and it most certainly is not a bailout for banks. It is a help to small banks.

The other thing I heard—and I see the Senator from Michigan, and I know she wishes to speak on this as well, and potentially the Senator from Florida—the other amazing argument I heard from the Senator from South Dakota was that this is another Democratic government program. I told the Senator from South Dakota—with all due respect, through the Chair, I said: If we had to take out the words ''big government,'' ''taxes,'' and ''regulations,'' nobody on the other side could finish a sentence. This is not a government program; this is a program to give capital to community banks.

As the Presiding Officer knows, there was a version of this that came to my attention, as the Senator from Michigan will know, that said: Let's not go through community banks. Let's do the direct lending. Let's just give it to the Small Business Administration, $30 billion, and let them lend to small businesses because some banks are lending, some banks aren't. Small businesses are so desperate. All they have is high-interest-rate credit cards. Let's do direct lending.

And silly me said: You know, we really want bipartisan support for this, and I just don't think I am going to be able to convince one Republican—even though I think it might work, I don't think I am going to be able to convince them to go through a direct lending program for the government.

So I had to go tell about 10 Democrats who were very upset: I am sorry, I don't think we can do that. But I do think we can do a private sector lending approach that might work.

So I have to sit here and listen to some Republicans come to the floor today and say to me that this is not a

private sector approach. It is ludicrous. It is, on its face, a private sector approach.

These are not banks run by the government. These are private sector banks, run by our friends in our communities. We see them at the Kiwanis, Rotary, in church and synagogues; we talk to them every day. But the Republicans don't want to help community banks and small businesses.

The same Senator, from South Dakota, who came down here to say this was like TARP, voted for TARP. This isn't TARP. This is a program to help small business.

I see the Senator from Michigan—and we are going to vote in a minute.

Mr. NELSON of Florida. Will the Senator yield for a question?

Ms. LANDRIEU. Yes, I yield to the cosponsor of the amendment.

Mr. NELSON of Florida. I would like the Senator from Louisiana to underscore the fact that the $30 billion put into this lending program, which will inure to the benefit of small business, is going to end up multiplying like the fishes and the loaves; it will end up being worth, over that 10-year period, $300 billion.

Ms. LANDRIEU. Yes.

Mr. NELSON of Florida. Would the Senator also agree that when you look at the list of all the institutions that support this lending facility, they are some of what we would think of as the most conservative organizations, and they are very much in favor of this?

Ms. LANDRIEU. Absolutely.

Mr. NELSON of Florida. Including the Florida Bankers Association, including the Community Bankers Association—because they know what it is. They got dissed on the big TARP—which some of us voted against—even when we tried to carve out little portions for small business, and it never worked because the banks would not lend the money; and now we are going to create a program specifically targeted to help small business through community banks.

Ms. LANDRIEU. Absolutely. The Senator is correct. He refers to this long list, which I have read several times on the floor. It is quite lengthy. These are not liberal organizations. They are not even Democratic or Republican organizations. They are business organizations, including the American Apparel and Footwear Association, the Arkansas Community Bankers, American Bankers Association, the Marine Retailers—these are conservative-to-center organizations. This isn't the Sierra Club. These are conservative organizations that are supporting this.

This is a private sector approach. It is $30 billion that will multiply to $300 billion. We have boxes of letters from small businesses saying all they have—as the Senator from Michigan knows—is the credit cards that they have to pay 16 to 20 percent on. Senator CANTWELL almost choked me up when she said that one of the businesses in her State had to take out a loan at 50 percent. How do you make money when you are borrowing money at 50 percent interest?

We have a program where they can walk down the street and go to their community banks and borrow not from the payday lenders but from the community bank. The Republican caucus wants to tell us this is like TARP so they can put a bumper sticker on their car for the election.

The Senator from Florida is correct. There are any number of conservative organizations from all of their States that are supporting this.

Ms. STABENOW. Will the Senator yield?

Mrs. LANDRIEU. Yes.

Ms. STABENOW. I thank the Senator from Louisiana for her tireless advocacy and leadership in getting us to this point, because this is absolutely critical for small businesses, certainly in Michigan and across the country. I know we talked about it before.

Isn't it true that when we look at job growth—and this is a jobs bill, I am sure the Senator agrees—small businesses are creating the jobs? Would she not agree, as well, that when we look at manufacturing in my State, the suppliers are small businesses? So what we are talking about here is growing jobs. Would the Senator agree and speak about the fact that this is about jobs, about the fact that the majority of the jobs are coming from small business, and these are the folks who didn't cause the financial crisis, and they didn't create the recklessness on Wall Street? They got hit by it, along with our community bankers who didn't cause it; would the Senator agree?

Ms. LANDRIEU. Absolutely, this is a jobs bill. The Senator from Michigan represents a State that has been one of the hardest hit States, the automobile industry. She has firsthand experience there. She knows these numbers as well as I do: From 1993 to 2009, 65 percent of jobs have been created by small business, and only 35 percent of the jobs were created by big business.

If some people are wondering why this recovery seems to be a jobless recovery, it is because it is. Big businesses have a lot of profit right now. Has anybody noticed that the stock market is going up? They are sitting on their cash. Has anybody noticed what Goldman Sachs reported lately? They did very well out of this.

If you want a recovery with jobs, where people can actually go to work, earn a paycheck, and pay taxes to help us get out of this deficit, and stimulate demand, you better support this. I am so tired of hearing the other side, I say to the Senator from Michigan, when they come down here and say: But the NFIB says that there is no demand.

First of all, the National Federation of Independent Business did not say that. So to their credit, I want to say on their behalf—although they have not come out strongly in support, they are not opposing, they are neutral—their own survey said that 40 percent of NFIB'S membership—a very conservative organization—said they didn't need any money. But that leaves 60 percent who said they could not get the loans they had asked for.

So this whole argument that says there is no demand—I want the Senators who vote against this to go back and try to give a speech on Main Street. I challenge you, all of you who might consider voting ''no'' on this amendment, I want to see you go home and stand on any Main Street and try to say to your people—look them straight in the eye and say: We know down here there is no demand. Nobody needs any money because nobody is selling anything, and there is no demand.

Mr. NELSON of Florida. Will the Senator yield for another question?

Ms. LANDRIEU. Yes, I yield for that purpose.

Mr. NELSON of Florida. I ask the question to underscore what the Senator from Louisiana has just said, which is that small business, which is the mainstay of the economic engine in so many of our States—certainly, that is true with Florida, as a matter of fact—the technological ingenuity of America often comes out of small business firms. How many times have we heard in our townhall meetings or in meetings with elected officials back in our States, the people who are being starved to death are the small businesses, because the banks won't lend? The big banks don't give them a break, and they are going out of business. They could have hired or doubled their employment. The community bankers want to lend, but they feel that the regulators have clamped down on them and this program—if it can multiply to $300 billion of lending for small business over the next 10 years, at a minimum, isn't that the kind of jumpstart we need to provide jobs and get this economy moving again?

Ms. LANDRIEU. Yes. It will create many jobs, and maybe we can then have a recovery that has jobs associated with it. That is the effort. We have fashioned this so that it is going to make money for the Treasury. It is not related to TARP funding. It is only for community banks. It is only for small business.

I see the Senator from Michigan. I wish to yield time to her, if she wishes to speak, and then the Senator from Oregon and the Senator from Washington wish to speak as well.

Ms. STABENOW. Mr. President, I thank the Senator, the chair of the Small Business Committee, for her leadership and her passion.

I could not agree more. We have to focus on jobs. When you support small business, both the underlying bill and the changes, in terms of tax cuts for small business, as well as this provision, this is a great opportunity for us to support small businesses in this country, where the majority of jobs are created.

Every time I go home, as the Senator from Florida mentioned, I am approached by small businesses that cannot get capital and cannot get the loans they need or get their line of credit extended. This is absolutely critical for us.

In addition, I thank Senators KLOBUCHAR and LEMIEUX for their export promotion piece, which is equally important. When we look at opportunities for small business and the opportunity to support their efforts to sell their products overseas in a global economy, this is also about creating jobs. I had the opportunity not long ago to be in Beijing, China, at the global auto leaders summit. I heard from people with the Foreign Commercial Service that they needed more assistance. If they had more staff, they would be able to support more businesses being able to sell into China.

We want, in this global economy, to be exporting our products, not our jobs. So focusing on exports and supporting what the President has called for—doubling exports in the next 5 years—creates jobs as well.

I again thank Senators KLOBUCHAR and LEMIEUX for their efforts on exports, and I thank Senator LEMIEUX and Senator LANDRIEU for the amendment as it relates to the lending authority. All of this adds up—all of this together, the underlying bill, with tax cuts, support for small businesses, which have seen collateral depreciate, and the efforts that we can provide to be able to support them to get loans through a collateral assistance program, the loan program, which is, in my judgment, a core provision, and then adding exports—all of it together is a jobs bill.

This is a fundamental jobs bill for small businesses all across the country. I urge colleagues to come together. I can't think of anything more bipartisan or anything that should be more bipartisan than a focus on American small businesses. This amendment is at the heart of that.

I strongly urge a very strong bipartisan vote.

I thank the Chair.

Ms. LANDRIEU. Mr. President, I see several Members on the floor. I am going to speak for 2 minutes, and then Senator KLOBUCHAR for 1 minute, and Senator MERKLEY for 10; and if somebody else comes, we will put them in the queue. Senator LEMIEUX may want to add a word.

I ask unanimous consent for that.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. This says: Is small business credit in a deep recession? This is the NFIB. They are one of the most conservative business organizations. I want to read to you their executive summary. It says:

> Forty percent of small businessowners attempting to borrow in 2009 had all of their credit needs met.

Forty percent.

> Ten percent had most of their needs met.

Let's say that 50 percent had most of their needs met. That means that 50 percent of the 27 million small businesses in America did not have their needs met.

This is not the Sierra Club here. This is the National Federation of Independent Business, one of the most conservative business groups. I don't know who wants to come to the floor and say they don't know what they are talking about. I think they do on this subject, and on others. I don't agree with them on everything, but they are very legitimate when it comes to what their members say. They said that 50 percent did not get their needs met. The financial institutions extending lines of credit during 2009, when the country was operating at a high level—the same survey—a few years earlier, before the recession, said that 90 percent of businesses were finding the credit they needed. That is why we were having great economic times, because small business could get credit.

This is economics 101. This is not complicated. Right now small businesses have credit card debt up to here. They are paying 16 and 24 percent. Maybe that makes the other side happy. They have no equity in their homes to borrow, and here we have a provision trying to give community banks some capital, healthy small banks to lend to small businesses.

We know there is a need. Fifty percent of NFIB's own membership says they cannot get the money they need, and we have to fight?

I see the Senator from Minnesota. She has a very important part of this amendment. I would like to turn the floor over to her.

Ms. KLOBUCHAR. Mr. President, I thank Senator LANDRIEU for her great leadership on this bill.

What I have heard over and over from small businesses in my State is they want to know how come Wall Street is doing OK right now and they are still struggling. Somebody once said that it is like Wall Street got a cold and Main Street got pneumonia. They are still having trouble. Yet 65 percent of the jobs in this country come from small businesses.

When I look at the big businesses in Minnesota, such as Medtronic, it started as a little business in a garage. The Mayo Clinic started with two doctors starting a practice together. 3M started as a sandpaper company up in Two Harbors, MN. Big businesses start as small businesses, and we need to help them.

I support all the work that is done with getting the credit out there. I did want to note the important part of this amendment that was put together by myself and Senator LEMIEUX to help with exports. Ninety-five percent of the customers of this country right now are outside our borders, and 30 percent of small businesses say: If we could export, we would love to do it. We just don't have the people who speak the language who work for us. We only have five employees or we don't have the contacts to export our goods to Turkey. We don't have a full-time trade person.

Having some help for them so they can talk with people at the Commerce Department to figure out are these real customers, simply get on the computer and call our embassies. Those embassies should be their embassies, not just for big business. They should be the embassies for small and medium businesses too.

We are hopeful. This is a bipartisan amendment with a lot of support. It is going to help jobs in America. I hope we can get this passed because it is incredibly important to small- and medium-sized businesses.

The PRESIDING OFFICER (Mr. TESTER). The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I appreciate those remarks. A portion of the LeMieux-Landrieu amendment is to step up exports.

The Senator from Oregon has been one of the key designers of this program. He is going to speak about a very important point that we have been debating today. That point is this oversight report that was written by Elizabeth Warren, who now seems to be a very good friend of the other side. She wrote this report, and they held it up saying we have to listen to Elizabeth Warren. It is very interesting because I think they have had some problems with what she has been doing. Nonetheless, they think this report bolsters their argument.

I ask the Senator from Oregon to comment about this report because I think it has been misrepresented. I am confident it has been misrepresented. It basically says it is inconclusive. They are not sure this program is going to work. I will tell you who is sure this program is going to work: our community bankers, our small business associations that have written thousands of letters. Is anyone opening their mail?

I am not going to listen to a bunch of bureaucrats up here who are not sure something is going to work. I would like to listen to the hometown folks, and that is what this amendment is about.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I came to the floor earlier to talk about a number of concerns that had been raised and how those did not actually fit the bill. One of those concerns was that banks would simply sit on the funds, which is not the case because there is incentive to lend. Another concern is there would be capitalization of failing banks, which is not the case because ratings are being applied so that capitalization only goes to healthy banks.

The point is not to save banks. The point is to get lending, to get capital into the hands of small businesses. I went through a number of those concerns.

Since I left the floor, there were three more issues that were raised by those who have concerns about the program. I wished to come back and address those issues.

One issue that was raised by a colleague is he said this program will have the government saying where to send money, what businesses will get money. In fact, no, not at all because similar to any capitalization of a small bank, the bank decides where to send money. That is the beauty of this public-private partnership; we are channeling, we are connecting to the power and wisdom of the small banks that understand the economy on their Main Street, that understand the reputation and capabilities of the folks who are asking for the loans, that understand the local economic dynamics. That is the duty. It is small banks that do what they do very well, which is decide where it is smart to invest and not invest.

A second concern that was raised since I last left the floor was that this would create a rush to lend. I think maybe the speaker had some picture in his mind that the moment a small bank got capitalized, they would immediately be judged on how much they had loaned out and that their rate of dividends would be set on that and, therefore, they would just throw the money out the door.

I wanted to make sure folks understood the basic mechanism in this bill. It works like this: For every 2.5 percent incremental increase in loans made by small and medium banks, the dividend would be reduced by 1 percent. This is the key phrase: The enumerated loans would be monitored for a 2-year period, starting on the date of the investment. Based on the lending rate at the end of that 2-year period, the dividend rate would be locked in and the bank would benefit from this attractive rate for the next 3 years.

If a bank seeks some funds to be recapitalized, it has a full 2 years to get loans out the door and needs to do so only at a rate of 2.5 to 1; whereas, we know a lot of banks will leverage that at 10 to 1. This is a modest standard and certainly nothing that would impel a rush.

The third critique that was raised said this report—I hold up the cover, the ''May Oversight Report, Small Business Credit Crunch and the Impact of TARP,'' said there was a moral hazard in the structure of a small business lending fund. Let's find the language in the report and analyze what was actually being said. We will find it on page 77. Feel free to look it up.

In this report, it is going through a series of issues and saying: OK, this is something worth considering. That is why we value these kinds of reports because they point out the challenges we might be facing and allows us to design legislation to work better.

This report notes:

> A capital infusion program that provides financial institutions with cheap capital and a penalty for banks that do not increase lending runs the risk of creating moral hazard by encouraging banks to make loans to borrowers who are not creditworthy.

Then it goes on to answer that critique:

> Although, in the legislation, the carrot . . . is arguably stronger than the stick. . . .

It is an incentive system rather than a penalty system.

Then it goes on to note further, and it received feedback from Treasury:

> . . . the SBLF was designed to minimize the chances that banks will use the capital to make risky bets.

Why is that?

> The program does not shift risk away from the banks that receive the capital: any institution that receives funds under the SBLF is obligated to repay that money to Treasury and therefore will lose money if it makes a bad loan.

I made this point earlier that unlike a guaranteed loan program where it does not matter if you make a bad judgment, in this case, it is the banks themselves putting at risk their own profits, utilizing their best judgments.

I think it is appropriate that folks come to the floor and say: I want to oppose this bill because it has this problem and this problem. That is the value of debate. Others can come to the floor and say: Actually, it is not designed like that; actually, it has been addressed because it has gone through months of people wrestling with the best design to harness the power of small banks, to address the challenges of small businesses in getting loans.

We will not get out of this recession if we do not empower our small businesses. There is only one other approach that has been brought to this floor as an alternative, and that alternative is to tell the small business to run up its credit card. I don't know about in my colleagues' States, but in my State, running up your credit card is not a viable option for small businesses to succeed.

We have the power, the wisdom of Main Street banks helping Main Street small businesses. Let's put that power to work.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I see the cosponsor of this amendment. I will ask unanimous consent for him to be recognized. But before I do, I wish to ask a question of the Senator from North Carolina. Senator HAGAN is on the floor. I would like to pose a question, if I may, because she was a banker, I understand. I would like to ask her if, in her view as a banker—I think it might be interesting to hear from somebody who was actually a banker. Senator BURRIS was a banker. He spoke—what does she think about this program.

If she was still a banker, would she be interested in accessing this capital from the Treasury and how it might help small businesses in the communities she used to lend to, if she would be so kind as to answer that question.

The PRESIDING OFFICER. The Senator from North Carolina.

Mrs. HAGAN. Mr. President, I applaud the Senator from Louisiana for putting forward this amendment with the Senator from Florida. I think banks would be interested in lending this money. I think small local, community banks know their client base, know their customers. They are the ones to which these funds are going to be made available. It is not going to be the big banks. This is going to go to banks with $10 billion assets or less. There is nothing forcing these banks to take this money.

I highly recommend we move forward with this bill. I echo so much what Senator LANDRIEU has been talking about on the floor today. The small business lending fund is an absolutely critical component of the small business package we are moving through the Senate. Small businesses are the backbone of our economy and, in particular, in the State of North Carolina. In fact, small businesses represent over 98 percent of the State's employers in North Carolina and close to 50 percent of the private sector jobs.

Having spent the last year and a half meeting with small business owners all across North Carolina, I have seen firsthand the power of their determination and innovation. I know that the small businesses will be the catalyst that we need right now for our economic recovery.

In North Carolina, we have over 455,000 people unemployed—455,000. We need to be doing all we can in Congress to help this recovery. Small businesses cannot begin to grow and expand and hire until they have access to credit and capital to invest. The small business lending fund does a lot to address that problem by giving banks a powerful incentive to increase lending to small businesses.

I have heard my colleagues in South Dakota and Alabama speak today about this bill, comparing it to TARP, implying that banks will not participate because the fund too closely resembles TARP. Nobody is making a bank participate. This is totally voluntary. The small business lending fund is not another TARP. It is not another bailout. This fund goes to Main Street banks, our local community banks, not the big ones, not the ones with $10 billion assets or larger.

These are provisions targeted at providing money to the banks that are the healthiest and most capable of increasing lending. In fact, the measure contains provisions to ensure that the funds only go to the banks that are healthy and viable.

In North Carolina, which is one of the biggest banking States in the country, our bankers have offered their endorsement of this proposal.

I am focused on creating a better climate for businesses to add jobs in North Carolina and across the country. I think this is a sensible proposal that will help small businesses to hire and grow.

I thank the Senator from Louisiana, as well as the Senator from Florida, for putting forth this amendment.

Ms. LANDRIEU. I thank the Senator from North Carolina, and I ask unanimous consent to yield the next 15 minutes to the Senator from Florida.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Florida.

Mr. LEMIEUX. I again thank my colleague from Louisiana and all my other colleagues. I see the Senators from Washington and Minnesota, who have worked on this bill are here. I think this is a very important piece of legislation, and that is why I have worked in a bipartisan way with my friend from Louisiana, who has been a leader on this bill and has put this bill together.

I know this is not without controversy. Some of my colleagues were here earlier, and they do not support this bill. I have enormous respect for my friends from South Dakota and Tennessee, and I appreciate their perspective, but I respectfully disagree with it. I think it was Ronald Reagan who said that if we agree on something 90 percent of the time, that means we are friends, and we are friends. I have tremendous respect for their views. But this bill does not bring with it, I believe, the problems my friends pointed out. This legislation helps small businesses, and in my State of Florida, that really matters because while we are the fourth largest State in the country, we are a small business State, not a big business State. We do have our share of big businesses, and we will grow more in the future. But because of Florida's meteoric rise in population over the past 20 or 30 years, we don't have those Fortune 100 companies headquartered in our State as other States do. Instead, we are a collection of small businesses, for the most part—nearly 2 million small businesses in Florida.

But during this recession—the worst recession Florida has seen in anyone's recent memory—those small businesses have been hurting. When I drive down the interstates and the State roads of Florida and I go past the small strip shopping centers and small buildings that house those small businesses that employ so many Floridians, unfortunately I now see a lot of dark and vacant buildings because these businesses have not been able to make it through this recession. Our unemployment in Florida is nearly 12 percent, and it may be worse than that because many no longer seek employment. If you figure the underemployed along with the unemployed, one in five adult Floridians who are able to work either doesn't have a job or doesn't have enough of a job. We are No. 2 in mortgage foreclosures, and we are No. 1 in the country in being behind on our mortgage payments. So Florida is hurting. There are signs that things are getting better, but we are struggling. And more than perhaps any other State, our small businesses need help.

This bill does that in a commonsense way, and let me explain why. The bill provides $30 billion for local community banks. This isn't Goldman Sachs, this isn't AIG, this is the banker down the street—the one you see at church or synagogue, the one in your Kiwanis or Rotary, the one who shops in the same stores you do. This is not some Wall Street banker but your local banker. So the bill provides $30 billion for local banks to make loans to small businesses.

The first reason it is not like the other program that was passed to bail out Wall Street is it is optional. The Treasury Secretary and the Chairman of the Federal Reserve are not going to get a bunch of local banks in a boardroom one night and pressure them into taking this money, as was done with TARP. It is voluntary. If they do not want it, they do not have to take it.

Second of all, this isn't going to increase the deficit. In fact, unlike most programs here in Washington—and my friends on the other side know I come to the floor all the time worried about the way we spend money in this Congress, worried about our debt and deficit, worried about what it will mean for our kids and our future—this piece of legislation is actually going to return more than $1 billion to the Treasury over time—so not a deficit, a surplus.

Again, the program is voluntary, it doesn't create a debt or deficit, and it doesn't create big government. It puts the money in the hands of community bankers to lend to small businesses, the folks who create jobs. My friend from Louisiana had a chart up earlier reflecting that 65 percent of all jobs are created by small businesses. I believe that number is far greater in my home State of Florida.

So who supports this amendment on which we have been working? Well, in Florida, the Florida Bankers Association does. Alex Sanchez, the president and CEO, wrote me and said:

> This bill will help create jobs for Floridians by increasing the loans to Florida's economic engine: Small businesses.

Who else supports it? Camden Fine, the president and CEO of the Independent Community Bankers of America. He said:

> This legislation is a positive for our community banking sector and to our small business customers who are vital to job creation and the economic recovery.

Robert Hughes, National Association for the Self-Employed, says:

> The National Association for the Self-Employed, on behalf of our 200,000 member businesses, strongly supports creating the Small Business Lending Fund, which we hope will alleviate the funding and credit freeze faced by small businesses by expanding loan resources.

Barney Bishop, president of Associated Industries of Florida, which represents businesses throughout Florida, says that this act moving through the Senate right now will help small businesses and ''lead to jobs, jobs, and more jobs.''

David Hart, executive vice president of the Florida Chamber of Commerce, says:

> Their ability to access capital is critical for economic recovery and job growth. The Florida Chamber of Commerce Small Business Council believes the Small Business Lending Fund will enhance the ability of small business owners to create jobs and transition Florida to a new and sustainable economy.

Javier Palomarez, president and CEO of the Hispanic Chamber of Commerce, writes in support of this bill:

> The United States Hispanic Chamber of Commerce, which represents more than 200 local Hispanic chambers and serves as the national advocate for nearly three million Hispanic-owned businesses in our country, supports passage of the Small Business Lending Fund Act.

These are Main Street groups. These are business groups that support this bill. So with all due respect to my colleagues who spoke before, this is good for business, and it is done in a measured and focused way that empowers the private sector. This is not big government. This doesn't run a deficit and it doesn't increase taxes.

In fact, to my friends who are supporting the base piece of legislation but may not want to support the amendment, they should know that our amendment cuts $2 billion in taxes out of the base bill. So we are going to cut taxes. The base bill has a lot of other cuts in taxes for small businesses, and I talked about that when I spoke earlier today.

This is going to be good for Floridians and Americans by getting needed capital to these small businesses that are struggling. That is why I support it. And I hope my friends on this side of the aisle will look at this bill seriously. I hope they think enough of me to look at it and give it a thorough evaluation because I know it is sort of a strange position I am in here. There may not be a lot of support for this on this side of the aisle, but my job representing Florida is to do what is right by the people I represent and to do what is right for the people of this country, and I believe this bill will do just that. It is not a perfect bill. No piece of legislation is. It will not solve the entire problem. No piece of legislation can. But I believe it will help. It will help in Florida, and it will help across the States of this great country, and that is why I support it.

In conclusion, Mr. President, I hope we can vote on this bill. I know the leadership is going back and forth trying to figure out a way to have some more amendments on this bill, and I believe that is the only obstacle to voting on this bill. I believe amendments should be allowed on this bill—a reasonable number—so we can get to it and we can pass it. Let's pass this thing before the weekend. Let's not wait until next week. Let's consider it, let's get it done, and let's help these small businesses.

Mr. President, I yield the remainder of my time to the Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I thank the Senator from Florida for his outstanding remarks and for his ability and his willingness to stand for the people of Florida because his State has had a great deal of difficulty, not unlike the State of California.

I see the Senator from California and the Senator from Illinois are on the floor and they want to speak. I would like to turn the next 5 minutes over to the Senator from California, but before I do, I want to respond to something the Senator from Florida said.

The Senator from Florida may not be the only Republican to vote for this amendment because today Senator GEORGE VOINOVICH said he would support the amendment. He is quoted today, if this quote that was reported in the paper is correct, as saying there is a real need out there to provide some money to some of these businesses and to get banks back involved.

He said:

> We have got to start doing something. Voinovich dismissed claims by fellow Republicans, including Snowe and Minority Leader McConnell, that the lending program resembles TARP because it involves Treasury Department loans to banks. Republicans have nicknamed it TARP, Jr. ''I don't buy that,'' Voinovich said. '' That is just messaging.''

As I said, my good friend from Florida may not be the only Republican to stand up and vote for this amendment, and I hope others will because this could mean a great deal to small businesses throughout America. This is for small business, it is for jobs, it is to get this recession over. We have to focus on Main Street.

Mr. President, the Senator from California would like the next 5 minutes.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I wish to thank the Senator from Louisiana, the chairman of the Small Business Committee, for her impassioned remarks. I have worked with MARY LANDRIEU on many issues. Sometimes we are on opposite sides. I don't like those times. I like these times. And I thank the Senator from Florida for his strong support.

Here is where we are. We are coming out of the worst recession since the Great Depression, and I don't sugarcoat it when I go home because everybody knows where we are. And I remember back to those days at the end of the Bush administration when we were bleeding hundreds of thousands of jobs every single month, and at that time, as we all looked at the situation, we realized who the job creators had been for the past 15 years. They had really been the small businesses. They created 64 percent of the new jobs. So when we talk about jobs, when we talk about turning this recession around, we have to focus on small businesses because they are the job creators. We have seen big corporations' profits return to prerecession levels, and they are sitting on their cash and they are not hiring.

We know small businesses are asking us to work with them so they can get credit. This is about healthy community banks being able to lend to healthy small businesses. This is not about toxic assets and toxic investments. This is such a strong program, the small business lending program, that the CBO estimates that we will make back $1.1 billion as the banks and small businesses pay back the fund.

Mr. President, I am going to spend the rest of my time reading into the RECORD the organizations and the businesses that support this bill:

The American Apparel and Footwear Association; the American Bankers Association; the American International Automobile Dealers Association; the Arkansas Community Bankers; the Associated Builders and Contractors; California Independent Bankers; Community Bankers Association of Alabama, Georgia, Illinois, Kansas, Ohio, Iowa, Washington, West Virginia, and Wisconsin; the Conference of State Bank Supervisors; the Fashion Accessory Shippers Association; the Financial Services Roundtable; the Florida Bankers Association; the Governors of Michigan, Ohio, Colorado, Connecticut, Illinois, Massachusetts, New Mexico, New York, North Carolina, Oregon, Washington, and West Virginia; Heating, Airconditioning and Refrigeration Distributors International; the Independent Bankers Association of Texas, of Colorado, and of New Mexico; the Independent Community Bankers of America, of Minnesota, and of South Dakota; the Indiana Bankers Association. It goes on and on. The Maine Association of Community Banks; the Maryland Bankers Association; the Massachusetts Bankers Association; the Michigan Bankers Association; the Missouri Independent Bankers Association. It goes on and on. The National Association for the Self-Employed; the National Association of Manufacturers; the National Bankers Association; the National Council of Textile Organizations; the Marine Manufacturers Association; the National Restaurant Association; the National RV Retailers Association; the National Small Business Association; the Nebraska Independent Community Bankers; the Pennsylvania Association of Community Bankers; the Printing Industries of America; Small Business California; the Small Business Majority; the Tennessee Bankers Association; the Travel Goods Association; the Virginia Association of Community Banks; the Hispanic Chamber of Commerce; and the Women Impacting Public Policy.

This is a list that reflects America. This is a list that reflects economic activity. This is a list of organizations in States that are struggling to get to good times.

This idea, that I have to say originally came from a Merkley-Boxer bill embraced by Senators LANDRIEU and CANTWELL and LEMIEUX, made better as it went down the legislative road, deserves to get 60 votes. It deserves to get, frankly, 100 votes. Because if we are serious about jobs, then we need to show it with our votes. It is not enough to get on the floor and complain and say, Where are the jobs? This is legislation, an amendment to a very important bill, that will leverage $30 billion into $300 billion. That is what we are talking about, the kind of a jolt to this economy that we need. And it makes money for the taxpayers.

Talk about a win-win, that is what this is. I am going to yield the floor and I am going to say one more time to the Senator from Louisiana, Senator LANDRIEU, thank you for your leadership. Thank you for your passion. This is about jobs, jobs, jobs, and anyone who votes no on this, in my opinion, don't say that you are for jobs because this is a proven job creator. We know it. Small business creates the jobs, 64 percent of the jobs. They need access to credit. They are not getting it from big banks. This allows us to get it from our community banks and it brings a very good marriage together—helping community banks, helping small businesses, and job creation.

I yield the floor.

Ms. LANDRIEU. Mr. President, I see the Senator from Illinois. I will ask unanimous consent for him to speak for 2 to 3 minutes. But before that, I wish to thank the Senator from California. The Senator from Illinois would know this, but this issue, this provision came originally from an idea that Senator BOXER and Senator MERKLEY had. She deserves a tremendous amount of credit.

Of course, she represents the largest State in the Union. Of course, she represents one of the States that has high unemployment. Of course, she listens to the people of her State and they are saying: Senator, where is the money to create the jobs?

I will submit this for the RECORD. The Senator from California does not need to see this because she knows it: Jobs lost by small business. Do we want to know why this recession is happening? I wish I had this blown up: 81 percent of the job losses come not from big business, not from Wall Street. I understand Wall Street is having fancy lunches. They had a lot of fancy lunches on Wall Street today. Do you know who is not even eating lunch, there is no brown bag to put it in? Small business. The Senator from California is a great Senator, fighting for her State. She has one of the highest unemployment rates in the country. The Senator from Illinois knows this as well. I thank her for putting this provision forward. I am happy to pick it up and try to carry the ball a little way down the field.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Are we under controlled time or seeking unanimous consent?

The PRESIDING OFFICER. We are not.

Mr. DURBIN. I ask unanimous consent to speak for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. I thank Senator LANDRIEU, who chairs the Small Business Committee. Not only does she have the facts, she has the tenacity and ferocity to take on these issues. You always want MARY LANDRIEU on your team. Like Senator BOXER, there are times when we are not on the same team. Thank goodness they are rare. But when we are together I know it is going to be a spirited fight and I am glad to join her in this effort. I thank her and Senator CANTWELL, but I also acknowledge, as she has, that Senators MERKLEY and BOXER were involved in the early formulation of this idea.

The idea was so obvious, it was so obvious that we knew when we spoke to small businesses the struggle they were having. They couldn't borrow money. Even good, reputable small businesses with great records could not borrow money. When they couldn't borrow money, it was impossible for them to sustain their business growth and to hire people.

In America, as we have lost 8 million jobs, with all the hardship and heartache that comes with it, we faced some hard choices. This week, the Senate and the House finally, after weeks of filibustering, came through with unemployment benefits for the millions of Americans who are struggling to feed their families during these hard times. That to me is the safety net. But if we are going to go beyond the safety net and create the jobs to put people back to work and get beyond this debate on unemployment benefits, we have to look to small business.

I heard the Senator from Louisiana talk about her view of small business and job creation. This bill that is before us, this amendment that Senator LANDRIEU brings before us today, is one that will create jobs in my home State of Illinois.

There were over 258,000 small business employers in Illinois in 2006, led by professional service and construction firms. These small businesses accounted for over 98 percent of the employers in my State. These small businesses added 93,000 jobs in 2006, more than three times as many as those by companies with more than 500 employees. Another 850,000 people worked for themselves in 2006, meaning the number of people working for small businesses was that much larger.

I am concerned about every firm losing jobs, but I know if we do not address the fundamental challenge facing small business, we are not going to turn this recession around quickly and that is what we all need to do and want to do.

What I struggle to understand, I will say to the Senator from Louisiana—perhaps she can answer this question: Where is the opposition to this? Where is the opposition? The Senator has read comments from the National Federation of Independent Businesses, a conservative business group. I have worked with them. Many times we lock horns but we have worked together on health care and things. So where does the opposition to this come from?

Don't we know if we take this money and loan it to small businesses it will be repaid? It has a leverage, a multiplier in terms of what it can mean to our economy, creating jobs, which means more taxes being paid, more people earning money with paychecks. I am trying to understand. Have people come to the floor on the other side of the aisle and explained why we would not want to provide credit for small businesses in the middle of a recession to help create jobs? I wish to ask the Senator if she would respond, through the Chair.

Ms. LANDRIEU. We have had three Senators come to the floor. The Senator, the ranking member of the committee is here now, Senator SNOWE. I have the greatest respect for the Senator. She outlined a few points that she has concerns about. I will come back to that in a minute.

There were only two other Senators who came to the floor—the Senator from Alabama and the Senator from South Dakota. From what I could gather, they think—the Senators said they thought this was sort of like TARP.

I tried to explain to them that, first of all, TARP was a $700 billion fund for banks that had troubled assets. This is a $30 billion fund for healthy banks to lend to small business. There were lots of bankers opposed to TARP. I tried to say to them in this case every banking organization that we know of, national organization, and the majority of the State bankers—not all; I want to be clear—the majority are all for it. So we are having a difficult time.

There may be some questions about the cost. It gets into a lot of detail. The Senator from Maine raised that issue. Our score, I said, is what I go by. The Senator knows it will generate $1.1 billion for this program.

Mr. DURBIN. If I can reclaim my time—I have a limited amount of time—thank you, because that addresses the issue. The fact is that this money will generate money to the Federal Treasury so it is not adding to our debt, it is creating jobs, helping businesses, reducing our deficit, and I might add—I am glad you made a reference to TARP. According to the Treasury Department, the 22 largest recipients of TARP dollars, banks, decreased their small business lending by $12.5 billion between April and November of 2009.

Here we are in TARP sending money to bail out the biggest banks and they are reducing their loans to small businesses as a result of it. What the Senator is saying, as I understand it, what this amendment is, is take this money, give it to healthy banks with the understanding it will be loaned to small businesses, they will prosper, create jobs, more taxpayers, fewer people on unemployment, and a net gain to the Treasury?

Ms. LANDRIEU. Yes.

Mr. DURBIN. This does not sound like TARP at all to me.

Ms. LANDRIEU. It is not. The Senator is absolutely correct. That is why I spent the majority of this day trying to be responsive to the several arguments that have been raised against it. I thought the Senator from Oregon did a beautiful job, much better than I did, explaining the nuances of this report that has been used to criticize this program.

But again, it is a private sector approach which the other side usually likes. It is community bankers whom we know, to small businesses that we know need the help. I cannot quite understand where this opposition is coming from. I said earlier, if you are looking for a bumper sticker for the election, go look elsewhere. Don't put a bumper sticker on the backs of small business in America. They don't deserve it. The letters are heartbreaking. The letters from Illinois are heartbreaking.

Women who have waited for 20 years while they raised their children finally start their business and I have to hear from the other side they don't like the bumper sticker? This is not about bumper stickers. We have waited a year and a half to get on a bill for small business. The House has already passed this bill.

It is laughable, to try to go home to your district. I don't care whether you are in Arizona or South Dakota or Alabama, you will be laughed out of the townhall meeting if you go home and try to explain that you don't think small business should get money from their local bank. They don't have the money to buy a train ticket to New York.

I mean, this is not funny. So unless somebody comes down here and gives me a relatively good argument—and I have the greatest respect for the Senator from Maine. We have never argued about anything on our committee. This didn't even come to our committee so we never argued about it. We have not argued about one thing because we feel so strongly. But for some reason this has become a political football. She did not make it that way and neither did I. Somebody did, but neither one of us did.

Mr. DURBIN. If the Senator from Louisiana will allow me to reclaim my time and finish and yield the floor at this point, I thank her for her passion and commitment. Around here we go through so many issues and debates, it sounds as if people are reading telephone directories and don't care, but there occasionally comes along an issue where it does touch you. You can tell from the Senator from Louisiana, she feels this issue—as she should. These are real people, who put their all into a business, who are about to lose it. These are real people who think their businesses can grow with a little bit of help and hire some people. Instead, what we hear from the other side

is we are afraid somebody is going to twist this into a bumper sticker that will look bad.

I used to have a friend of mine named Mike Synar, from Oklahoma. We used to laugh when Members of the House of Representatives would say, ''Man, I hope we don't have to vote on that tough issue again.'' He said, ''If you don't want to fight fires, don't be a firefighter. If you don't want to come to Congress and vote on tough issues, get another job somewhere else.'' I think he was right. He is still right. If these people are afraid of helping small businesses for fear that somebody is going to dream up a bumper sticker and a 30-second ad, think about another job. Because if we can't face issues this important in the middle of a recession and help small businesses with the Landrieu amendment, then we have lost our way.

I am glad to support the Senator, and I yield the floor.

Ms. LANDRIEU. Mr. President, I see other Members on the floor. Senator BURRIS had spoken earlier. I wish to say there was an organization we failed to mention, but the Minority Bankers of America also have given their support to this. We are getting constant letters of support in.

I can speak for a few more minutes. I don't know if anyone else is interested in speaking. We still do not have a vote on this, so I will continue, I guess.

Mr. LEVIN. Will the Senator yield?

Ms. LANDRIEU. Yes, to the Senator from Michigan.

Mr. LEVIN. Mr. President, one of the arguments I have heard against the Senator's amendment—as the Senator from Illinois said, this is a replay of the TARP battle. I want to explore that for one moment with my friend from Louisiana.

Before I do, I must say about the Senator from Louisiana, her passion and commitment to small business, reflected in her chairmanship on the Small Business Committee—and I am honored to serve with her on it—has been nothing short of breathtaking. I thank her for that leadership.

On the TARP issue, those of us who voted for TARP have been criticized back home because it didn't result in a lot of credit flowing. We would have loved to have had the time so we could have taken some steps so we could have connected credit flow with what we were doing to try to save this economy from totally going under.

We did not have the time to do it at that time. We have been criticized, and to some extent I think fairly, for not connecting some kind of requirement on the part of banks that are being helped through TARP with some commitment to lend out that money, to get credit flowing again.

The issue we have heard more than anything about back home, I would say, in terms of businesses and why they are not adding jobs, is that even the businesses that have paid all their bills, that have folks out there who are willing to buy their products, cannot get the regular lines of credit that they have relied on, mainly because the assets that those credit lines have been based on have gone down in value, the way our homes have gone down in value.

So they have the same accounts. They have never missed payments they owe the banks. They have sales they can make. But in terms of the ratio that the banks follow because of the regulators, those banks are unwilling to extend the traditional line of credit because the assets of the companies have gone down in value, although their business sales have not gone down. So we have creditworthy businesses waiting for credit.

What this amendment does is—and I wish to ask the Senator if this is correct—this really is something—we are filling a gap TARP did not fill. A failure that TARP, I am afraid, legitimately is criticized for, we are trying and the Senator's amendment is trying to correct, to fill a gap which we did not fill in when we passed the TARP.

So there are incentives in this amendment to extend credit. That is the point of the amendment; that is, we will get credit flowing again. So the TARP reference, to me, is totally inappropriate. I wish to ask the Senator if that is correct.

Ms. LANDRIEU. The Senator from Michigan is absolutely correct. That is why this is so flabbergasting to me, because the Senator is correct. The TARP, some of us voted for it, some of us did not, but there are some legitimate criticisms of it. I mean, it went to a lot of the big banks, bigger banks. It did go to some middle-sized banks, I will concede that to the opponents. They have pointed that out, that it went to some middle-sized banks.

But what we did not do was connect it to lending. They took the money and they cut the line of credit. We are trying to fix that. This is an amendment to fix what we did not do correctly. This is an amendment supported by bankers, by small businesses. It does not go to big banks. They are not even eligible. It is voluntary. They do not have to take it.

If any Senator wants to vote against this and go home and say: Look, I can only give you credit cards with 16 percent interest—your people in Michigan cannot survive that, the Senator knows. They cannot survive it.

Mr. LEVIN. One last thing. This is what our local banks have been pleading for.

Ms. LANDRIEU. Yes.

Mr. LEVIN. I wish to thank the Senator for her leadership on so many other parts of this bill. This is a critical bill. It is a critical amendment that is now being offered.

We are at yet another moment in this ongoing economic crisis at which we have to choose, choose between taking action to help lift our country and its people, or failing to act to alleviate their struggles. Too often, in the face of opposition from many of our Republican colleagues, we have been delayed in making these choices. The legislation before us today is no exception: This bill has been on the Senate floor for 10 legislative days.

That is sad, because every day of delay on this bill has been another day that small businesses, businesses our Republican colleagues repeatedly commend as America's job-creation engines, lack the access to capital they need to continue to operate or grow. As the financial system recovers from the damage done by the greed and speculation of some on Wall Street, local banks that small businesses have depended on, and in many cases worked with for years, are not providing them with the capital to finance their inventories, meet their payrolls, operate their factories or add new products.

This legislation seeks to bridge that gap. If passed it will give thousands of American business owners a chance to keep current workers or hire new ones. It is the sort of thing we should rush to do in this economy.

Let me outline a few of the ways in which this legislation will help. This legislation would establish the State Small Business Credit Initiative, an effort that I have been working on for many months along with several of our colleagues here in the Senate, leaders in the House of Representatives, and the administration. Building on successful efforts in Michigan and other States, the initiative would provide crucial funding to State and local programs that expand capital access for small businesses.

These programs help businesses escape one of the traps that continues to hold back our economy: The fact that just as the recession has damaged the value of our homes, it has also damaged the value of the real estate, equipment and other items these businesses offer as collateral to secure loans, making it harder to get those loans and therefore harder to keep or hire workers, feeding a downward spiral that stunts growth.

This bill also includes a series of efforts to boost small-business lending that will create thousands of jobs without adding to the deficit. For instance, inclusion of the Small Business Job Creation and Access to Capital Act, which raises Small Business Administration loan limits, will increase small-business lending by as much as $5 billion. It also includes an Intermediary Lending Pilot Program, a proposal I offered which allows SBA to make loans to nonprofit intermediary lenders, who can then loan that money to growing businesses.

Other provisions of the bill will help more small businesses sell their products overseas or win government contracts, and provide much-needed assistance to SBA's women's business centers and microloan programs that help businesses in underserved communities.

The substitute amendment now before us does not include one provision which I support, but which hopefully we will now add. The Small Business Lending Fund would have provided $30 billion in capital support to the Nation's small banks. It is similar to the Bank on Our Communities Act that I and many others have supported.

Some of our colleagues objected to this provision, ostensibly on the grounds that it was a reprise of TARP. But unlike TARP, in which most of funds went to the largest institutions, this program targets the community banks that actually make the vast majority of small business loans. While many of the financial institutions receiving TARP funds failed to use that support to make the business loans needed to boost our economic recovery, this program's whole purpose would be to increase small-business lending. Community banks would be rewarded for increasing their small business lending, and penalized if they do not, This program would not cost taxpayers. Instead, it would raise approximately $1.1 billion. At a time when some in this chamber say the deficit is such a problem that we cannot even afford extended benefits for the jobless, why would we not support a program that would not only help create jobs, but reduce the deficit by $1.1 billion?

While I strongly support the Small Business Lending Fund, I believe it is an urgent priority to get small businesses the help they need. Even without the Small Business Lending Fund provision, this legislation represents a much-needed effort to provide more capital to businesses in need.

New access to an SBA loan or to support from a State capital-access program can be the difference between expanding or contracting, between growing or going out of business. These businesses and their workers should not have to wait for help any longer, and we can provide it, today, by approving this bill.

Ms. LANDRIEU. I see the Senator from Maine. In all fairness, we have had a lot of time. I want to yield 1 minute to the Senator from Minnesota. Then I will be happy to yield. We have no time agreements. There are no scheduled votes. I am most certainly not holding up this vote. The leadership is not here. I am not sure when we are voting. I know Members want to leave. I am not holding up the vote. We are ready to go to the vote at any time, but we do not have any agreement to go to the vote.

Ms. KLOBUCHAR. I thank the Senator from Louisiana. Again, I thank you for including the piece of this bill on exports because we have waited so long to include it. This is something that came out of the Commerce Committee. So I appreciate the Small Business Committee being willing to put this amendment in there, a bipartisan amendment.

It went through the Commerce Committee unanimously, with the sole focus of helping small- and medium-sized businesses, people who do not have the resources, that when they want to send their products, 30 percent of them say they want to export. They look at the world, and it looks like one of those ancient maps where you do not see all the countries.

They do not have contacts out there. They do not know someone in Kazakhstan or someone in Turkey or someone in Morocco, but yet someone there wants their product. So the whole idea was to have some resources, some tools, so they can access those markets. We all know that if we are going to get out of this economic slump, we can do some of it by selling products in the United States, but a lot of it has to deal with us selling our products abroad because we have to become a country again that makes stuff, that thinks again, that sends things to other countries, that creates jobs in America, so you turn over something when you go in a store and it says: ''Made in the USA.''

The way we do that is by selling things in our own country but also selling things to all those customers, all those millions and millions of customers who are starting to get buying power in other countries. But it should not be just for the big businesses; the small- and medium-sized businesses should be able to access those markets as well.

That is why this amendment is so incredibly important, an amendment that came, this piece of it, unanimously through the Commerce Committee. It boggles my mind that anyone would be voting against it.

I yield the floor.

Ms. LANDRIEU. Mr. President, I am hoping we can vote right now, if possible. I know the Senators all have schedules. The Senator from Maine was very kind to say she could even speak after the vote. I appreciate that everybody has been so patient today. We have had a good debate. We are trying to get to a vote on this bill. We are waiting for the leadership, but people are going to have other appointments. The Senator from Maine has agreed to speak after the vote, which is very nice.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I ask unanimous consent that at 8 o'clock tonight, the Senate proceed to vote on the motion to invoke cloture on amendment No. 4500; and that if cloture is invoked, notwithstanding rule XXII, the Senate then proceed to the House message to accompany H.R. 4899, as provided in this order; that if cloture is not invoked, the majority leader then be recognized to enter a motion to reconsider the vote by which cloture was not invoked; and the cloture motion on the substitute amendment and the bill be withdrawn; further, that the Senate proceed to the House message regarding H.R. 4899, supplemental disaster relief/summer jobs; that the Senate move to concur in the House amendment to the Senate amendment to the bill; and vote immediately on the motion to invoke cloture on the motion to concur in the House amendment to the Senate amendment to the bill; that if cloture is invoked, then the Senate proceed as provided under rule XXII; that if cloture is not invoked, then the motion to concur be withdrawn, and the Senate then move to disagree to the House amendment to the Senate amendment to the bill, and that the motion to disagree be agreed to, and the motion to reconsider be laid upon the table; that no further amendments or motions be in order to the House message to accompany H.R. 4899, except the following specified here: Lincoln amendment to the motion to concur, with an amendment to the disaster assistance/child nutrition; Reid amendment to the motion to concur with an amendment on the subject of border security; Specter amendment to the motion to concur with an amendment on the construction of ocean-going vessels; Reid amendment to the motion to concur with an amendment on the Federal Lands Transaction Facilitation Act, and the following amendments on the motion to concur with respect to the class action settlement negotiated involving African-American farmers and American Indians, jobs for teachers, and public safety employer-employee cooperation; that no debate be in order with respect to any amendment covered in this agreement; that each be subject to an affirmative 60-vote threshold; that if they achieve that threshold, then the amendment be agreed to; if the amendment does not achieve the threshold, then it be withdrawn and the motion to reconsider be laid upon the table, with no further amendments or motions in order as provided above except the motion to disagree.

The PRESIDING OFFICER. Is there objection?

Mr. McCONNELL. Reserving the right to object.

The PRESIDING OFFICER. The Republican leader.

Mr. McCONNELL. Mr. President, I object to the Lincoln amendment. I object to the Reid amendment, and with regard to the issue of border security, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3170; that all after the enacting clause be stricken, and the substitute amendment at the desk, which is a fully offset border security provision, be agreed to; that the bill, as amended, be read a third time and passed, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Mr. President, I have a further unanimous consent request. I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4853; that all after the enacting clause be stricken, and the substitute amendment at the desk be agreed to; that the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table.

Before the Chair rules, I would like to clarify that the amendment includes provisions that do the following:

One, make permanent the $1,000 child tax credit; two, make permanent the deduction for State and local sales tax; three, make permanent the expired research and experimentation credit; four, repeal section 9006 of the Patient Protection and Affordable Care Act, the small business 1099 paperwork mandate; five, add a sense of the Senate on the recess appointment of Dr. Donald Berwick, based on the Roberts amendment No. 4512; and extend the alternative minimum tax patch for 2009 permanently, adjusted for inflation.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, those are laudable goals. I look forward to working with my friends on the other side of the aisle to come to conclusion of these matters. But at this stage, I think it is pretty late at night, and we have had little opportunity to talk to our committees. In fact, it would just not work at this stage. So I object.

The PRESIDING OFFICER. Objection is heard.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4853; that all after the enacting clause be stricken and the substitute amendment at the desk, which would add the previously requested lawsuit settlement language, modified with a rescission of unobligated stimulus funds to cover the costs and modified to reflect Barrasso amendment No. 4313, be agreed to; that the bill, as amended, be read a third time and passed, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object, we have been through this before. This is a ''beat up the lawyer'' amendment. We will not agree to that. I object.

The PRESIDING OFFICER. Objection is heard.

The Republican leader.

Mr. MCCONNELL. Mr. President, it is my understanding there has been an objection to everything but the cloture vote on the supplemental.

Mr. REID. And small business.

Mr. MCCONNELL. And the small business bill.

The PRESIDING OFFICER. Without objection, the request has been modified.

The Senator from Arkansas.

Mrs. LINCOLN. I would like some clarification on that last comment, please, from the minority leader. There is no objection now on the UC?

Mr. MCCONNELL. There has been an objection to all of the add-ons.

The PRESIDING OFFICER. It is the Chair's understanding that the entirety of the agreement has been agreed to except the amendments of the motion to concur to the supplemental.

Mr. REID. Mr. President, I think it is fair to the Senator from Arkansas that there is an understanding that an amendment that passed this body at least 6 months ago, that was bipartisan in nature, that gave emergency funding for a number of States because of agricultural disasters, the question is, Is that being objected to?

Mrs. LINCOLN. That is not my question.

Mr. REID. I am sorry then.

Mrs. LINCOLN. My question is what is the pending issue and is the question on whether there is an objection to the supplemental; is that correct?

The PRESIDING OFFICER. It is the Chair's understanding that the majority leader's request, as amended, is agreed to.

Mr. REID. I don't want any misunderstanding. If anyone is objecting to our moving forward on the supplemental, this is the time to speak.

Mr. MCCONNELL. Mr. President, it is my understanding the only thing in order is the vote on cloture on the motion to concur on the supplemental.

Mrs. LINCOLN. I would like to wage my objection until I can further discuss it with the majority leader.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Without objection, it is so ordered.

Mr. REID. Mr. President, I renew my earlier unanimous consent request with the exception of those exceptions.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I ask unanimous consent that the Monday quorum be waived with respect to the House message.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I appreciate very much the inordinate amount of time that everyone has waited. I am sorry we had to do that. But Senators LINCOLN and CHAMBLISS have been real professionals. They have done a lot of talking. But I think we are at a point now where we can finish our business tonight.

CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the LeMieux-Landrieu et al. amendment No. 4500 to the Reid-Baucus substitute amendment No. 4499 to H.R. 5297, the Small Business Lending Fund Act of 2010.

Harry Reid, Mary L. Landrieu, Sheldon Whitehouse, Byron L. Dorgan, Roland W. Burris, Richard J. Durbin, John D. Rockefeller, IV, Robert Menendez, Carl Levin, Daniel K. Akaka, Debbie Stabenow, Patty Murray, Jack Reed, Maria Cantwell, Dianne Feinstein, Daniel K. Inouye, Bernard Sanders.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on amendment No. 4500 to amendment No. 4499 to H.R. 5297, the Small Business Lending Fund Act of 2010, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from South Carolina (Mr. DEMINT) and the Senator from Missouri (Mr. BOND).

Further, if present and voting, the Senator from South Carolina (Mr. DEMINT) would have voted ''nay.''

The PRESIDING OFFICER (Mr. BURRIS). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 60, nays 37, as follows:

[Rollcall Vote No. 218 Leg.]

YEAS—60

Akaka	Gillibrand	Murray
Baucus	Goodwin	Nelson (NE)
Bayh	Hagan	Nelson (FL)
Begich	Harkin	Pryor
Bennet	Inouye	Reed
Bingaman	Johnson	Reid
Boxer	Kaufman	Rockefeller
Brown (OH)	Kerry	Sanders
Burris	Klobuchar	Schumer
Cantwell	Kohl	Shaheen
Cardin	Landrieu	Specter
Carper	Lautenberg	Stabenow
Casey	LeMieux	Tester
Conrad	Levin	Udall (CO)
Dodd	Lieberman	Udall (NM)
Dorgan	Lincoln	Voinovich
Durbin	McCaskill	Warner
Feingold	Menendez	Webb
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden

NAYS—37

Alexander	Coburn	Graham
Barrasso	Cochran	Grassley
Bennett	Collins	Gregg
Brown (MA)	Corker	Hatch
Brownback	Cornyn	Hutchison
Bunning	Crapo	Inhofe
Burr	Ensign	Isakson
Chambliss	Enzi	Johanns

Kyl	Risch	Thune
Lugar	Roberts	Vitter
McCain	Sessions	Wicker
McConnell	Shelby	
Murkowski	Snowe	

NOT VOTING—3

Bond	DeMint	Leahy

The PRESIDING OFFICER. On this vote, the yeas are 60, the nays are 37. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2010

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the House message to accompany H.R. 4899, which the clerk will report.

The assistant legislative clerk read as follows:

Resolved that the House agree to the amendment of the Senate to the title of the bill (H.R. 4899) entitled ''An Act making supplemental appropriations for the fiscal year ending September 30, 2010, and for other purposes,'' and be it further resolved that the House agree to the amendment of the Senate to the text of the aforesaid bill with an amendment.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 4899, an act making supplemental appropriations for the fiscal year ending September 30, 2010.

Daniel K. Inouye, Tom Harkin, Christopher J. Dodd, Patrick J. Leahy, Max Baucus, Richard J. Durbin, Charles E. Schumer, Al Franken, Patty Murray, Benjamin L. Cardin, Jack Reed, Roland W. Burris, Dianne Feinstein, Mark Begich, Amy Klobuchar, Byron L. Dorgan, Mark Udall.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to the Senate amendment to H.R. 4899, the Supplemental Appropriations Act of 2010, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from South Carolina (Mr. DEMINT) and the Senator from Missouri (Mr. BOND).

Further, if present and voting, the Senator from South Carolina (Mr. DEMINT) would have voted ''nay.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 46, nays 51, as follows:

[Rollcall Vote No. 219 Leg.]

YEAS—46

Akaka	Gillibrand	Murray
Baucus	Goodwin	Nelson (NE)
Bingaman	Hagan	Nelson (FL)
Boxer	Harkin	Reed
Brown (OH)	Inouye	Reid
Burris	Johnson	Rockefeller
Cantwell	Kaufman	Sanders
Cardin	Kerry	Schumer
Casey	Klobuchar	Shaheen
Conrad	Kohl	Stabenow
Dodd	Lautenberg	Tester
Dorgan	Levin	Udall (NM)
Durbin	Lincoln	Whitehouse
Feingold	Menendez	Wyden
Feinstein	Merkley	
Franken	Mikulski	

NAYS—51

Alexander	Crapo	McCaskill
Barrasso	Ensign	McConnell
Bayh	Enzi	Murkowski
Begich	Graham	Pryor
Bennet	Grassley	Risch
Bennett	Gregg	Roberts
Brown (MA)	Hatch	Sessions
Brownback	Hutchison	Shelby
Bunning	Inhofe	Snowe
Burr	Isakson	Specter
Carper	Johanns	Thune
Chambliss	Kyl	Udall (CO)
Coburn	Landrieu	Vitter
Cochran	LeMieux	Voinovich
Collins	Lieberman	Warner
Corker	Lugar	Webb
Cornyn	McCain	Wicker

NOT VOTING—3

Bond	DeMint	Leahy

The PRESIDING OFFICER. On this vote, the yeas are 46, the nays are 51. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Under the previous order, the motion to concur is withdrawn.

The motion to disagree to the House amendment to the Senate amendment to H.R. 4899 is considered made; the motion to disagree is agreed to; and the motion to reconsider is considered made and laid upon the table.

Mr. MCCONNELL. Mr. President, today, tomorrow and the next day marines and soldiers will patrol the streets of places like Marja and Garmsir and assist Afghan policemen in the areas around Kandahar.

They are well trained, they are intent on accomplishing the mission they have been given, and they are supported by loving families here at home.

For their sacrifice, they ask little. They ask that they be well led, prepared, and to have clear-cut missions and guidance. They ask that their families be cared for.

We have become so used to their sacrifice in the days, months, and years since September 11, 2001, that it may become easy to take the extraordinary service rendered by this All-Volunteer Force for granted.

So easy, it seems, that the funding request submitted by Secretary Gates in February to fund combat operations has languished here in the Congress for months.

As a Senate, we should not take this sacrifice for granted.

Secretary Gates spoke to my Republican colleagues and me about the need to pass the defense supplemental so the training and pay of our military would not be at risk.

He has also written to the majority leader and asked that we finish this supplemental before the August recess so that he will not be forced to furlough thousands of civilian employees at the Department of Defense.

It has taken until this late date to now vote once again on funding for our All-Volunteer Force. With each passing day we approach the end of the fiscal year and Secretary Gates loses the ability to shift funding from other activities in the Defense Department to the training of our forces scheduled to deploy.

I am afraid we are losing sight of the purpose of these war supplemental bills. These bills are not for forward-funding domestic programs. They are not for funding projects that won't pass elsewhere.

It would be irresponsible to give the House any further reason to shirk the responsibility of getting this funding to our fighting forces.

We need to pass this supplemental tonight, send it back to the House and reject any delaying tactic or additional matters that can wait for future consideration in this session.

Mr. FEINGOLD. Mr. President, I voted to end debate on the House amendment to the supplemental appropriations bill because that amendment addresses important domestic priorities for Wisconsin and this country without adding a penny to the deficit. The amendment provides $10 billion to help school districts around the country facing funding shortfalls due to the ongoing recession, all of it paid for. It also provides almost $5 billion in fully offset funding to help ensure that the millions of low income students who receive Pell grants do not see reductions in their awards.

The House amendment also includes a provision to give public safety employees, like firefighters and police officers, collective bargaining rights. While Wisconsin and other States already protect public safety employees' collective bargaining rights, there are still several States that do not. Police officers, firefighters, and other public safety officers are on the front lines of protecting our communities and we should ensure that these hard working professionals have the ability to bargain for better wages and working conditions.

However, I continue to oppose funding for a massive, open-ended war in Afghanistan. This war funding will add tens of billions to our deficit without contributing to our national security.

MORNING BUSINESS

Mr. BEGICH. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BEGICH. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The asistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—H.R. 5297

Mr. REID. Mr. President, I ask unanimous consent that the postcloture time with respect to the Landrieu-LeMieux amendment No. 4500 suspend until such time as the Senate resumes consideration of H.R. 5297.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISCLOSE ACT—MOTION TO PROCEED

CLOTURE MOTION

Mr. REID. Mr. President, I now ask unanimous consent that it be in order to proceed to Calendar No. 476, S. 3628.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I now move to proceed to that bill, and I send a cloture motion to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The cloture motion having been presented under rule XXII, the clerk will state the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 476, S. 3628, the DISCLOSE Act.

Harry Reid, Charles E. Schumer, Sherrod Brown, Claire McCaskill, Patrick J. Leahy, John F. Kerry, Byron L. Dorgan, Patty Murray, Barbara Boxer, Roland W. Burris, Robert Menendez, Jack Reed, Joseph I. Lieberman, Tom Udall, Kent Conrad, Mark Begich, Robert P. Casey, Jr.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that the cloture vote on the motion to proceed occur at 2:45 p.m., Tuesday, July 27, with the time from 2:15 to 2:45 p.m., equally divided and controlled between the two leaders, or their designees, with the majority leader controlling the final 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEBERING FORMER GOVERNOR KENNY GUINN

Mr. REID. Mr. President, I have just learned of the loss of one of my dear friends. He was an orphan. He was a stellar athlete. He came to Las Vegas to be a schoolteacher, but he had such a dynamic personality that soon they learned in that rapidly growing school district, which is the fourth or fifth largest in the country, that they needed his kind of leadership. He went from being a teacher to running that huge school district in Las Vegas, the Clark County School District.

He had such a magnetic personality. Kenny Guinn was built like an athlete. He was handsome as a movie star.

He left the school district after a number of years and became a bank president. He became a big utility president in our major utility in Nevada. Then he became president of the university. I think he worked for $1 a year. He just did it to be nice.

Somebody said to him: What you should do is run for Governor. It was a slam dunk. He was a very moderate Republican. He was elected Governor twice very easily. He did an extremely good job as Governor.

We do not know what happened to Kenny today, but from reports we received, he was in an accident. He was on the roof and fell. He is dead now. I feel so badly about this. I talked with him a week or so ago about my campaign and his wonderful, beautiful, charming wife Dema. I feel so sad that Kenny is not with us anymore.

I join all of Nevada in mourning the loss of truly a great man, one of Nevada's outstanding Governors, and a friend of mine about whom I will always feel strongly.

TRIBUTE TO SISTER ROSEMARY LYNCH

Mr. REID. Mr. President, today I rise to honor Sister Rosemary Lynch for her lifetime of promoting peace throughout Nevada, the United States, and the entire world. Sister Lynch recently celebrated her 93rd birthday, and I am pleased to recognize her life and achievements before the U.S. Senate.

Sister Lynch was born in Phoenix, AZ, but her spiritual service in the Franciscan Order brought her to Las Vegas after periods in Mexico, Europe, Africa, and Indonesia. She began her devotion to the Franciscans more than 75 years ago and eventually ascended to an administrative post within the order. Spending 16 years in Italy helping to manage the order's global organization, Sister Lynch still found time to travel the world to deliver her message of compassion. These days, Sister Lynch can be found at the Franciscans' house on Bartlett Street in Las Vegas, where she devotes her day to assisting the underprivileged community of the city.

Sister Lynch's age has not slowed her commitment to spread peace throughout her community. Her boundless energy is apparent in the daily early morning walks she takes through her neighborhood and the unflagging devotion to combating poverty she displays through her work at the Franciscan house. She speaks five languages, a testament to her incredible mind and her experience in spreading peaceful ideas throughout the world.

In addition to her work with the Franciscan Order, Sister Lynch founded the Pace e Bene Nonviolence Service, a group dedicated to educating communities about theories of peaceful conflict resolution. This organization celebrated 20 years of activity last year, and it continues its mission internationally due to the efforts of Sister Lynch. ''Pace e Bene'' means ''peace and all good'' in Italian, and I cannot think of a better phrase to describe the life's work of Sister Rosemary Lynch.

I am honored that Sister Lynch has offered her services to the State of Nevada for a significant portion of her life. I thank her for her ceaseless altruism and selflessness, and I wish her continued health and success in her endeavors.

EDUCATION JOBS PACKAGE

Mr. BENNET. Mr. President, I rise today to urge this body to get our priorities straight. During this trying moment for struggling families all over America, as we work to get our economic ship righted, it is our kids and schools that should be at the top of our list.

And moving forward with a more lasting agenda, this body must make good on our commitment to ensure that we leave more opportunity for our children than we ourselves have had. It starts with our commitment to education.

We have a very American responsibility—to set the table for our kids' futures; to prepare them for the competitive world that awaits them; and to enrich their lives with a better education than the one that was offered to us. This is our central calling.

As I have discussed many times before back in Colorado and here on the Senate floor, we must be willing to make the hard choices necessary to jumpstart our economy and put the country on a path that will return us to fiscal responsibility. This means recognizing how we got into this fiscal mess—by not paying for our priorities, not planning for future emergencies, taking on more than we can afford, and damaging, expensive bailouts.

Yet we cannot fight our way out of this fiscal hole riding on the backs of our kids. It is wrong, and it is a disservice to them.

I support legislation to preserve teacher jobs. And the full Senate must do the same. In so many areas, our children are taking the brunt of our economic downturn. School is one place we have to try to inoculate from economic hardship.

Hundreds of thousands of teachers across the country—including an estimated 3,000 teachers in Colorado—are in jeopardy of losing their jobs if we do not act. Districts have already cut their budgets substantially. The education jobs package would preserve thousands of these middle-class jobs.

I am the first person to say that we cannot simply continue to do the same thing in education and expect a different result. We need to improve the system so it does a better job of supporting our teachers and educating students.

However, we cannot stand by while schools are devastated by layoffs. Allowing this would be a shortsighted blow against our communities.

The education jobs package would keep people working, and ensure that students can continue learning. This will actually spur economic recovery in the short run, preserving thousands of good jobs, and by laying the groundwork for our kids' success, it would foster prosperity in the long run.

Preserving teaching jobs is a commonsense investment. Yet inside the Beltway the livelihood of our teachers has become a political pawn. We have seen people using this money as a negotiating tool. And we have seen people force false choices between jobs and critical education reforms. Let's not play politics with our children's future.

I call on our colleagues to move quickly to pass an education jobs package and keep our teachers in the classroom so our kids have the tools they need to succeed.

TREATMENT OF END USERS

Mrs. LINCOLN. Mr. President, I ask unanimous consent to have printed in the RECORD a letter dated June 30, 2010, from Senator DODD and me to House Chairmen PETERSON and FRANK regarding the treatment of end users in the Dodd-Frank Wall Street Reform and Consumer Protection Act, H.R. 4173.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, June 30, 2010.

Hon. Chairman BARNEY FRANK,
Financial Services Committee, House of Representatives, Rayburn House Office Building, Washington, DC.

Hon. Chairman COLLIN PETERSON,
Committee on Agriculture, House of Representatives, Longworth House Office Building, Washington, DC.

DEAR CHAIRMEN FRANK AND PETERSON: Whether swaps are used by an airline hedging its fuel costs or a global manufacturing company hedging interest rate risk, derivatives are an important tool businesses use to manage costs and market volatility. This legislation will preserve that tool. Regulators, namely the Commodity Futures Trading Commission (CFTC), the Securities and Exchange Commission (SEC), and the prudential regulators, must not make hedging so costly it becomes prohibitively expensive for end users to manage their risk. This letter seeks to provide some additional background on legislative intent on some, but not all, of the various sections of Title VII of H.R. 4173, the Dodd-Frank Act.

The legislation does not authorize the regulators to impose margin on end users, those exempt entities that use swaps to hedge or mitigate commercial risk. If regulators raise the costs of end user transactions, they may create more risk. It is imperative that the regulators do not unnecessarily divert working capital from our economy into margin accounts, in a way that would discourage hedging by end users or impair economic growth.

Again, Congress clearly stated in this bill that the margin and capital requirements are not to be imposed on end users, nor can the regulators require clearing for end user trades. Regulators are charged with establishing rules for the capital requirements, as well as the margin requirements for all uncleared trades, but rules may not be set in a way that requires the imposition of margin requirements on the end user side of a lawful transaction. In cases where a Swap Dealer enters into an uncleared swap with an end user, margin on the dealer side of the transaction should reflect the counterparty risk of the transaction. Congress strongly encourages regulators to establish margin requirements for such swaps or security-based swaps in a manner that is consistent with the Congressional intent to protect end users from burdensome costs.

In harmonizing the different approaches taken by the House and Senate in their respective derivatives titles, a number of provisions were deleted by the Conference Committee to avoid redundancy and to streamline the regulatory framework. However, a consistent Congressional directive throughout all drafts of this legislation, and in Congressional debate, has been to protect end users from burdensome costs associated with margin requirements and mandatory clearing. Accordingly, changes made in Conference to the section of the bill regulating capital and margin requirements for Swap Dealers and Major Swap Participants should not be construed as changing this important Congressional interest in protecting end users. In fact, the House offer amending the capital and margin provisions of Sections 731 and 764 expressly stated that the strike to the base text was made ''to eliminate redundancy.'' Capital and margin standards should be set to mitigate risk in our financial system, not punish those who are trying to hedge their own commercial risk.

Congress recognized that the individualized credit arrangements worked out between counterparties in a bilateral transaction can be important components of business risk management. That is why Congress specifically mandates that regulators permit the use of non-cash collateral for counterparty arrangements with Swap Dealers and Major Swap Participants to permit flexibility. Mitigating risk is one of the most important reasons for passing this legislation.

Congress determined that clearing is at the heart of reform—bringing transactions and counterparties into a robust, conservative and transparent risk management framework. Congress also acknowledged that clearing may not be suitable for every transaction or every counterparty. End users who hedge their risks may find it challenging to use a standard derivative contracts to exactly match up their risks with counterparties willing to purchase their specific exposures. Standardized derivative contracts may not be suitable for every transaction. Congress recognized that imposing the clearing and exchange trading requirement on commercial end-users could raise transaction costs where there is a substantial public interest in keeping such costs low (i.e., to provide consumers with stable, low prices, promote investment, and create jobs.)

Congress recognized this concern and created a robust end user clearing exemption for those entities that are using the swaps market to hedge or mitigate commercial risk. These entities could be anything ranging from car companies to airlines or energy companies who produce and distribute power to farm machinery manufacturers. They also include captive finance affiliates, finance arms that are hedging in support of manufacturing or other commercial companies. The end user exemption also may apply to our smaller financial entities—credit unions, community banks, and farm credit institutions. These entities did not get us into this crisis and should not be punished for Wall Street's excesses. They help to finance jobs and provide lending for communities all across this nation. That is why Congress provided regulators the authority to exempt these institutions.

This is also why we narrowed the scope of the Swap Dealer and Major Swap Participant definitions. We should not inadvertently pull in entities that are appropriately managing their risk. In implementing the Swap Dealer and Major Swap Participant provisions, Congress expects the regulators to maintain through rulemaking that the definition of Major Swap Participant does not capture companies simply because they use swaps to hedge risk in their ordinary course of business. Congress does not intend to regulate end-users as Major Swap Participants or Swap Dealers just because they use swaps to hedge or manage the commercial risks associated with their business. For example, the Major Swap Participant and Swap Dealer definitions are not intended to include an electric or gas utility that purchases commodities that are used either as a source of fuel to produce electricity or to supply gas to retail customers and that uses swaps to hedge or manage the commercial risks associated with its business. Congress incorporated a de minimis exception to the Swap Dealer definition to ensure that smaller institutions that are responsibly managing their commercial risk are not inadvertently pulled into additional regulation.

Just as Congress has heard the end user community, regulators must carefully take into consideration the impact of regulation and capital and margin on these entities.

It is also imperative that regulators do not assume that all over-the-counter transactions share the same risk profile. While uncleared swaps should be looked at closely, regulators must carefully analyze the risk associated with cleared and uncleared swaps and apply that analysis when setting capital standards for Swap Dealers and Major Swap Participants. As regulators set capital and margin standards on Swap Dealers or Major Swap Participants, they must set the appropriate standards relative to the risks associated with trading. Regulators must carefully consider the potential burdens that Swap Dealers and Major Swap Participants may impose on end user counterparties—especially if those requirements will discourage the use of swaps by end users or harm economic growth. Regulators should seek to impose margins to the extent they are necessary to ensure the safety and soundness of the Swap Dealers and Major Swap Participants.

Congress determined that end users must be empowered in their counterparty relationships, especially relationships with swap dealers. This is why Congress explicitly gave to end users the option to clear swaps contracts, the option to choose their clearinghouse or clearing agency, and the option to segregate margin with an independent 3rd party custodian.

In implementing the derivatives title, Congress encourages the CFTC to clarify through rulemaking that the exclusion from the definition of swap for ''any sale of a nonfinancial commodity or security for deferred shipment or delivery, so long as the transaction is intended to be physically settled'' is intended to be consistent with the forward contract exclusion that is currently in the Commodity Exchange Act and the CFTC's established policy and orders on this subject, including situations where commercial parties agree to ''book-out'' their physical delivery obligations under a forward contract.

Congress recognized that the capital and margin requirements in this bill could have an impact on swaps contracts currently in existence. For this reason, we provided legal certainty to those contracts currently in existence, providing that no contract could be terminated, renegotiated, modified, amended, or supplemented (unless otherwise specified in the contract) based on the implementation of any requirement in this Act, including requirements on Swap Dealers and Major Swap Participants. It is imperative that we provide certainty to these existing contracts for the sake of our economy and financial system.

Regulators must carefully follow Congressional intent in implementing this bill. While Congress may not have the expertise to set specific standards, we have laid out our criteria and guidelines for implementing reform. It is imperative that these standards are not punitive to the end users, that we encourage the management of commercial risk, and that we build a strong but responsive framework for regulating the derivatives market.

Sincerely,

CHAIRMAN CHRISTOPHER DODD,
Senate Committee on Banking, Housing, and Urban Affairs, U.S. Senate.

CHAIRMAN BLANCHE LINCOLN,
Senate Committee on Agriculture, Nutrition, and Forestry, U.S. Senate.

JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, earlier this week, I came to the Senate with the respected senior Senator from Tennessee and sought a time agreement to consider Jane Stranch of Tennessee, a judicial nomination that has been stalled by the Republican leadership for more than 8 months. It is one of more than 20 judicial nominations being delayed from Senate consideration by Republican objection. Despite the support of Senator ALEXANDER, the senior Senator from Tennessee who is part of the Republican leadership, the Republican leader objected to a time agreement to consider the Stranch nomination to the Sixth Circuit. I was disappointed, as I have been repeatedly by Republican obstruction since President Obama was elected.

Senate Republicans have further ratcheted up the obstruction and partisanship that have regrettably become commonplace this Congress with regard to judicial nominees. We asked merely for a time agreement to debate and vote on the nomination. I did not foreclose any Republican Senator from voting against the nominee or speaking against the nominee but simply wanted a standard agreement in order to allow the majority leader to schedule the debate and get to a vote. This is for a nomination reported favorably by the Judiciary Committee over eight months ago with bipartisan support. Yet the Republican leader objected and blocked our consideration.

No one should be confused: the current obstruction and stalling by Senate Republicans is unprecedented. There is no systematic counterpart by Senate Democrats. In fact, during the first 2 years of the Bush administration, the 100 judges confirmed were considered by the Democratically controlled Senate an average of 25 days from being reported by the Judiciary Committee. The average time for confirmed Federal circuit court nominees was 26 days. The average time for the 36 Federal circuit and district and circuit court judges confirmed since President Obama took office is 82 days and the average time for Federal circuit nominees is 126 days. So when Republicans say that we are moving faster than we did during the first 2 years of the Bush administration they are wrong. It was not until the summer of 2001 that the Senate majority shifted to Democrats, but as soon as it did, we proceeded on the judicial nominations of President Bush, a Republican President. Indeed, by this date during the second year of the Bush administration, the Senate had confirmed 58 of his judicial nominations and we were on the way to confirming 100 by the end of the year. By contrast, Republican obstruction of President Obama's judicial nominees has meant that only 36 of his judicial nominees have been confirmed. We have fallen dramatically behind the pace set for consideration of President Bush's nominees.

With respect to Senate Republican leadership's current practice of holding, delaying and obstructing Senate consideration of judicial nominees reported favorably by the Judiciary Committee, this is a tactic they reserve for nominees of Democratic Presidents. Indeed, when President Bush was in the White House, Senate Republicans took the position that it was unconstitutional and wholly inappropriate not to vote on nominees approved by the Senate Judiciary Committee. With a Democratic President, they have reverted to the secret holds that resulted in pocket filibusters of more than 60 nominees during the Clinton years. Last year, Senate Republicans successfully stalled all but a dozen Federal circuit and district court nominees. That was the lowest total number of judges confirmed in more than 50 years. They have continued that practice despite the fact that judicial vacancies continue to hover around 100, with more than 40 declared judicial emergencies.

Since the nomination of Jane Stranch of Tennessee is for a vacancy in the Sixth Circuit, when the Republican leader blocked consideration of her nomination earlier this week, I provided the history of how nominees to the Sixth Circuit by Presidents Clinton and Bush had been treated. Despite the fact that Senate Republicans had pocket filibustered President Clinton's nominees, Senate Democrats proceeded to consider President Bush's.

Today I would like to outline the recent history of the Fourth Circuit. Two nominees from North Carolina to the Fourth Circuit were the subject of a request for a time agreement by the Senator from North Carolina last week. The Republican leader objected to any agreement to debate and vote on those nominations, as well. I note that one of those North Carolina nominations was reported unanimously by the Judiciary Committee, and the other received six Republican votes in favor and only one vote against. They are supported by both Senators from North Carolina, one a Republican and one a Democrat. Still the Republican leadership refuses to allow the Senate to consider them.

When I became chairman of the Judiciary Committee midway through President Bush's first tumultuous year in office, I worked very hard to make sure Senate Democrats did not perpetuate the judge wars as tit-for-tat. In fact, we did not. Senate Republicans had pocket filibustered more than 60 of President Clinton's judicial nominations and refused to proceed on them. Included among these was one of the nominees from North Carolina now pending before us again, Judge Wynn. Nevertheless, during the 17 months I chaired the Judiciary Committee during President Bush's first 2 years in office, the Senate proceeded to confirm 100 of his judicial nominees. The Fourth Circuit was problematic, as I will explain, but we were able to make progress there as well. It was not as much progress as I would have liked, but during the Bush administration we were able to reduce the number of vacancies in the Fourth Circuit.

In contrast to the Republican Senate majority during the Clinton administration that obstructed nominations and more than doubled circuit court vacancies, Senate Democrats contributed to the reduction of circuit court vacancies by two-thirds during the Bush administration. The Senator from Kentucky complained last week about two nominations made during the 7th and 8th years of the Bush administration, including one that did not have the support of home State Senators. He did not mention that, during the Clinton administration, Senate Republicans pocket filibustered five of President Clinton's nominations to the Fourth Circuit, resulting in a doubling of Fourth Circuit vacancies, which rose from two to five. The Republican leader did not mention that Senate Republicans did not proceed on even one of President Clinton's Fourth Circuit nominees during the last three years of his administration or the fact that, by

contrast, Senate Democrats did proceed to confirm Judge Agee of Virginia to the Fourth Circuit in the last few months of the Bush administration.

The fact is that Senate Democrats did not do what Republicans are apparently now doing—retaliating for perceived slights. We did not engage in tit-for-tat. When I became chairman of the Judiciary Committee midway through President Bush's first year in office, the first nominee the Judiciary Committee and the Senate considered was a Virginia nominee to the Fourth Circuit. Judge Roger Gregory had been pocket filibustered by Senate Republicans after being nominated by President Clinton. We also considered and confirmed the controversial nomination of Judge Dennis Shedd from South Carolina to the Fourth Circuit before the end of that Congress. Senate Democrats cooperated in order to break a longstanding logjam that had prevented any North Carolina representation on the Fourth Circuit for many years with the confirmation of Judge Allyson Duncan to the Fourth Circuit in 2003.

In 2008, under my chairmanship of the Judiciary Committee, we moved forward to confirm Judge G. Steven Agee of Virginia to the Fourth Circuit. The confirmation of Judge Agee was one more Fourth Circuit confirmation than Senate Republicans would allow during the last 3 years of the Clinton administration and allowed us to reduce the vacancies on the circuit during the Bush administration by one. While I would have liked to have been more productive, and would have been had the Bush administration not been intent on packing the court, we were able to reduce the vacancies on the Fourth Circuit during the Bush administration and reverse the effect of Senate Republicans' obstruction of President Clinton's nominees. That is a more accurate snapshot of the recent history of the Fourth Circuit than the isolated nominations at the end of the Bush administration that the Republican leader referenced as if they justified his objection to proceeding to debate and vote on the consensus nominations of Judge James Wynn and Judge Albert Diaz now.

The Fourth Circuit is a good example of how much time and effort was wasted on ideological nominations by President Bush. For example, there was the highly controversial and failed nomination of William ''Jim'' Haynes II, to the Fourth Circuit. Senator GRAHAM of South Carolina criticized that nomination just recently during the Judiciary Committee consideration of the nomination of Elena Kagan to the Supreme Court. As general counsel at the Department of Defense, he was the architect of many discredited policies on detainee treatment, military tribunals, and torture. Mr. Haynes never fulfilled the pledge he made to me under oath at his hearing to supply the materials he discussed in an extended opening statement regarding his role in developing these policies and their legal justifications.

The Haynes nomination led the Richmond Times-Dispatch to write an editorial in late 2006 entitled ''No Vacancies,'' about the President's counterproductive approach to nominations in the Fourth Circuit. The editorial criticized the Bush administration for pursuing political fights at the expense of filling vacancies. According to the Times-Dispatch, ''The president erred by renominating . . . and may be squandering his opportunity to fill numerous other vacancies with judges of right reason.'' The Times-Dispatch editorial focused on the renomination of Mr. Haynes, but could just as easily have been written about other controversial Fourth Circuit nominees.

Another example is President Bush's nominations of Duncan Getchell, over the objections of both his home State Senators, a Republican and a Democrat. That nomination was later withdrawn.

Another example is President Bush's nomination of Claude Allen to a vacancy in Maryland, despite the fact that he was opposed by both Maryland Senators. That nomination was withdrawn and Allen was later arrested and convicted of fraud.

The President insisted on nominating and renominating Terrence Boyle over the course of 6 years to a North Carolina vacancy on the Fourth Circuit. This despite the fact that as a sitting U.S. district judge and while a circuit court nominee, Judge Boyle ruled on multiple cases involving corporations in which he held investments. The President should have heeded the call of North Carolina Police Benevolent Association, the North Carolina Troopers' Association, the Police Benevolent Associations from South Carolina and Virginia, the National Association of Police Organizations, the Professional Fire Fighters and Paramedics of North Carolina, as well as the advice of the Senator from North Carolina who opposed the nomination. Law enforcement officers from North Carolina and across the country opposed the nomination. Civil rights groups opposed the nomination. Those knowledgeable and respectful of judicial ethics opposed the nomination. President Bush persisted for 6 years before withdrawing the Boyle nomination.

I mention these ill-advised nominations because Senate Republicans seem to have forgotten this recent history and why there are continuing vacancies on the Fourth Circuit. The efforts and years wasted on President Bush's ideological nominations followed in the wake of the Republican Senate majority's refusal to consider President Clinton's Fourth Circuit nominees. All four nominees from North Carolina to the Fourth Circuit were blocked from consideration by the Republican Senate majority. These outstanding nominees included U.S. District Court Judge James Beaty, Jr., U.S. Bankruptcy Judge J. Richard Leonard, North Carolina Court of Appeals Judge James Wynn, and Professor Elizabeth Gibson. The failure to proceed on these nominations has yet to be explained. Had either Judge Beaty or Judge Wynn been considered and confirmed, he would have been the first African-American judge appointed to the Fourth Circuit.

In contrast, I worked to break through the impasse and to confirm Judge Allyson Duncan of North Carolina to the Fourth Circuit when President Bush nominated her. I also worked to reduce Federal judicial vacancies in North Carolina by confirming eight district court judges during the Bush administration. By contrast, during the entire 8 years of the Clinton administration, only one district court judge was allowed to be confirmed for North Carolina.

Overall judicial vacancies were reduced during the Bush years to less than 4 percent. Federal judicial vacancies are now over 10 percent. During the Bush years, the Federal circuit court vacancies were reduced from a high of 32 down to single digits after Senate Republicans had more than doubled circuit court vacancies during the last 6 years of the Clinton administration. Our progress has not continued with President Obama. Instead, Republican obstruction is putting that progress at risk. During the Bush years, we reduced vacancies on nine circuits. Since then, vacancies on six circuits have risen and circuit court vacancies have doubled from their low point.

There did come a time in the 108th Congress when President Bush and Senate Republicans were intent on packing the courts with ideologues, and the Republican chairman of the Judiciary rewrote or broke our rules and practices in his attempt to assist that effort. They forced filibusters of nominees. Most of those were ultimately confirmed and some withdrew, including Miguel Estrada who withdrew when the Bush administration would not accommodate Senate requests for access to information about his work. Senate Democrats did not replicate or retaliate for Republican excesses during the Clinton years. As chairman I proceeded on judicial nominees I opposed, I made blue slips public and Senate Democrats debated judicial nominees in public and gave their reasons for opposition rather than relying as Senate Republicans had on secret holds and pocket filibusters.

I have not done what the Republican chairman did. I have respected and protected the rights of the minority. I have followed our rules and practices. President Obama has not done what President Bush did by making nominations opposed by home State Senators. Instead, President Obama has reached out and worked with home State Senators from both parties. He has identified well-qualified nominees. Despite our efforts, the qualifications of the nominees, and the support of home State Senators, including Republican

Senators, Senate Republicans have filibustered, obstructed and delayed consideration of President Obama's judicial nominees favorably reported by the Judiciary Committee.

I have tried to ratchet up the cooperation between parties and branches in my role as chairman. It is disappointing to see the Senate Republican leadership take the opposite approach. They are holding up for no good reason consideration of nominees reported from the Judiciary Committee for weeks and months. Their pattern is to stall and obstruct. Republicans' sense of injury is misplaced in my view. Moreover, the disproportionateness of their response to perceived slights disserves the American people and our Federal justice system.

I was interested to see the Republican leader in his statement last week claim credit for the confirmations of Judge Andre Davis of Maryland and Judge Barbara Keenan of Virginia to the Fourth Circuit. I would be delighted to praise the Republican leader were he to work with us, and I look forward to doing so were he to agree without further delay to debates and prompt votes on the more than 20 judicial nominees now being stalled by Republican objection.

Let us remember what happened with the two nominees he now mentions: the nomination of Judge Andre Davis was stalled for 5 months after being reported by the Judiciary Committee with a strong bipartisan majority by a vote of 16 to 3. Some would say this nomination was delayed for 10 years since Judge Davis had been nominated by President Clinton toward the end of his administration in 2000 and was not confirmed until 2010. Judge Davis was a well-respected judge who had served for 14 years as a Federal district judge and before that for 8 years as a Maryland State court judge and had received the highest rating by the ABA. I understand why the Republican leader ultimately voted for him, along with more than 70 other Senators who provided a strong bipartisan majority once Republicans allowed the vote to proceed. It is up to each Senator how he or she chooses to vote. My concern is that the debate and vote on the nomination was needlessly stalled for 5 months.

The case of Judge Barbara Keenan is even more troubling. Judge Keenan had been a judge for 29 years and served on each of the four levels of Virginia State courts. The ABA awarded her its highest rating as did the Virginia State Bar. Judge Keenan's nomination was reported unanimously by the Judiciary Committee on October 29, 2009. It took until March 2, more than 4 months, to get the Senate to debate and vote on this nomination after it was unanimously reported. And even that does not fully indicate the Republican obstruction. It also took the majority leader's filing a cloture petition to bring the nomination to a vote. Having refused to agree to a time agreement on this consensus nomination, the Senate had to invoke cloture to end the stalling. When the vote was finally taken, it was unanimous. No Senator voted against this nomination or spoke against it. So, I asked, why the stalling? Tragically, that stalling and obstruction has continued and is continuing. I said then that even when Republicans cannot say no, they nonetheless demand that the Senate go slow. This is wrong. Judge Keenan's nomination is just one example from several where after stalling and delaying consideration for weeks and months for no good reason, Senate Republicans do not vote against the nomination.

I suspect that will happen again with the North Carolina nominees to the Fourth Circuit whose consideration the Republican leader objected to last week. After all, they were reported 18 to 1 and 19 to 0. Judge James Wynn of North Carolina and Judge Albert Diaz of North Carolina are examples of the judicial nominees being stalled who would be confirmed by the Senate if the Senate Republican leadership would agree to debate and vote on them. The list includes not only the 21 Federal circuit and district court nominees currently stalled by Republican objection from final Senate consideration, but also many of the 36 confirmed but who were needlessly delayed. What is being perpetuated is a shame that does harm to the American people and the Federal courts.

REMEMBERING FIRST LIEUTENANT VERNON BAKER

Mr. BARRASSO. Mr. President, I rise today to pay tribute to 1LT Vernon Baker, a native of Cheyenne, WY. Our Nation has lost a son of Wyoming and hero of World War II.

First Lieutenant Baker not only fought the fascist Axis powers but he also fought to serve in a segregated U.S. Army. Vernon Baker's life story is a testament to no door or opportunity can be permanently shut in the United States.

As a young man, Mr. Baker made the decision to serve his country in World War II by joining the U.S. Army. He was initially told by Army recruiters he could not sign up because he was Black. His determination to serve his country was not deterred. Vernon returned to the Cheyenne recruiting office and found a recruiter who would sign him up.

First Lieutenant Baker went on to serve with the 92nd Infantry Division's 370th Regiment, an all Black unit in Italy. Throughout his World War II service, Mr. Baker was awarded the Bronze Star, Purple Heart, and the Distinguished Service Cross. Fifty years later, First Lieutenant Baker was awarded the Medal of Honor for his leadership and bravery in destroying a number of German positions near Viareggio, Italy, almost single handedly.

I thank Mr. Baker for his service. Mr. Baker is survived by wife Heidy, four children, and a grandson.

Mr. President, I ask unanimous consent to have printed in the RECORD First Lieutenant Baker's Medal of Honor citation and an article that appeared in the Casper Star Tribune.

There being no objection, the material was ordered to be printed in the RECORD as follows:

Citation: For extraordinary heroism in action on 5 and 6 April 1945, near Viareggio, Italy. Then Second Lieutenant Baker demonstrated outstanding courage and leadership in destroying enemy installations, personnel and equipment during his company's attack against a strongly entrenched enemy in mountainous terrain. When his company was stopped by the concentration of fire from several machine gun emplacements, he crawled to one position and destroyed it, killing three Germans. Continuing forward, he attacked an enemy observation post and killed two occupants. With the aid of one of his men, Lieutenant Baker attacked two more machine gun nests, killing or wounding the four enemy soldiers occupying these positions. He then covered the evacuation of the wounded personnel of his company by occupying an exposed position and drawing the enemy's fire. On the following night Lieutenant Baker voluntarily led a battalion advance through enemy mine fields and heavy fire toward the division objective. Second Lieutenant Baker's fighting spirit and daring leadership were an inspiration to his men and exemplify the highest traditions of the Armed Forces.

[From the Associated Press]

MEDAL OF HONOR HERO DIES

WYOMING NATIVE OVERCAME DISCRIMINATION, SEGREGATION IN MILITARY

(By Rebecca Boone)

ST. MARIES, IDAHO.—Wyoming native Vernon Baker, who belatedly received the Medal of Honor for his role in World War II, died at his home near St. Maries, Idaho. He was 90.

Baker died Tuesday of complications of brain cancer, Benewah County Coroner and funeral home owner Ron Hodge said.

Then-President Bill Clinton presented the nation's highest award for battlefield valor to Baker in 1997. He was one of just seven black soldiers to receive it and the only living recipient.

"The only thing that I can say to those who are not here with me is, 'Thank you, fellas, well done,'" Baker told The Washington Post after the ceremony. "'And I will always remember you.'"

In 1944, 2nd Lt. Baker was sent to Italy with a full platoon of 54 men. On April 5, he and his soldiers found themselves behind enemy lines near Viareggio, Italy.

When concentrated enemy fire from several machine gun emplacements stopped his company's advance, Baker crawled to one and destroyed it, killing three Germans. Continuing forward, he attacked an enemy observation post and killed two occupants.

With the aid of one of his men, Baker attacked two more machine gun nests, killing or wounding the four enemy soldiers occupying these positions. Then he covered the evacuation of his wounded soldiers by occupying an exposed position and drawing the enemy's fire.

On the following night, Baker voluntarily led a battalion advance through enemy mine fields and heavy fire.

In all, Baker and his platoon killed 26 Germans and destroyed six machine gun nests, two observer posts and four dugouts.

He said later he felt the company commander, who said he was going to get reinforcements, had abandoned his group of men. ''It made me all the more determined to accomplish our mission,'' he told the PBS series ''American Valor.'' ''Because at that time the Army was segregated. It was thought that we were unable to fight.''

No black soldiers were awarded the Medal of Honor during World War II, although Baker did receive the Purple Heart, a Bronze Star and Distinguished Service Cross.

In 1993, U.S. Army officials contracted Shaw University in Raleigh, N.C., to determine if there was a racial disparity in the way Medal of Honor recipients were selected. The university researchers found that there was, and recommended 10 soldiers to receive it. From that list, Pentagon officials picked seven.

But there was one problem—the statutory limit for presentation had expired. Congress was required to pass legislation that allowed the president to award the Medals of Honor so long after the action.

Baker was the only recipient still living; the other six soldiers received their awards posthumously, with their medals being presented to family members.

Baker was initially rebuffed when he tried to join the Army. Baker said in an interview with public television that a recruiter told him that there was no quota for enlisting ''you people.''

Reflecting on life in a segregated Army unit, he told The Washington Post, ''I was an angry young man. We were all angry. But we had a job to do, and we did it.'' He added, though, that he ''knew things would get better, and I'm glad to say that I'm here to see it.''

Baker returned to his northern Idaho home after the war. When he received a call telling him he was to receive a Medal of Honor, at first he was astonished. Then he was angry.

''It was something that I felt should have been done a long time ago,'' he told Idaho public television. ''If I was worthy of receiving the Medal of Honor in 1945, I should have received it then.''

Baker called his 1997 memoir ''Lasting Valor.''

U.S. Rep. Walt Minnick said he met Vernon Baker in the 1990s when the soldier spoke at a College of Idaho event. Minnick said he'd been expecting a tough, battle-hardened soldier, but says he was instead struck by Baker's gentle demeanor. Minnick said Baker's valor on the battlefield in Italy was a rebuke of racist policies that dominated the U.S. military into the middle of the last century.

''His actions on the front line demonstrates better than words can describe why discrimination and segregation in the military was both unfair and absolutely inconsistent with an effective fighting force,'' Minnick said. ''He demonstrated a degree of courage few people have. He was prepared to give his life for his country—a country in which he was considered a second-class citizen.''

Baker was born in 1919 in Wyoming. Orphaned as a small child, he was raised by his grandparents in Cheyenne. He was working as a railroad porter when he decided to join the Army in mid-1941, a few months before Pearl Harbor.

In 2004, Baker underwent emergency surgery to remove a malignant brain tumor. Before he fell ill, he had failed to sign up for benefits from Veterans Affairs and Medicare, not realizing what the requirements were. Community members and politicians in Idaho pitched in to help him get aid for his unpaid medical bills.

Hodge said Baker continued to battle brain cancer over the next years, and he recently began receiving hospice care at his home. Baker was surrounded by his family when he died Tuesday evening.

Hodge said Baker's wife, Heidi Baker, plans to have a memorial service in St. Maries but the arrangements have not yet been made. He said Heidi Baker also planned to talk with military officials about possibly having Baker buried at Arlington National Cemetery.

A war hero, Baker was also a man of peace. After receiving the award, he told a newspaper reporter for the Moscow-Pullman Daily News: ''I hope never to see someone else having the Medal of Honor hung around his neck by the president of the United States. You young people coming up, please don't take war as a solution to a problem. God gave you the brains to think and not to use violence as a means to an end.''

ADDITIONAL STATEMENTS

GANN VALLEY, SOUTH DAKOTA

• Mr. JOHNSON. Mr. President, today I pay tribute to the 125th anniversary of the population center of our State, Gann Valley. This community, just 15 minutes away from the Missouri River, is the county seat of Buffalo County.

Gann Valley was named after Herst Gann, one of the area's pioneers as well as the publisher of one of two local newspapers. Gann also donated the courthouse when the town was founded on January 14, 1885. Since the railroad never came through, a freight line made three trips a week to neighboring Kimball to bring in goods for the town and ship out the products from the town's creamery.

Gann Valley will spend Saturday, July 31, celebrating this historic milestone. A wagon train will arrive in the morning to kick off the festivities, followed by a parade, games, a dance, and more. Small towns like Gann Valley are the backbone of South Dakota, and I am proud to recognize the people who live in and around this great community.•

TIMBER LAKE, SOUTH DAKOTA

• Mr. JOHNSON. Mr. President, today I pay tribute to the 100th anniversary of Timber Lake, SD, on the Cheyenne River Sioux Indian Reservation. The county seat of Dewey County, this small town embodies South Dakota values.

Originally established by the Secretary of the Interior, the land plots were so popular that 1,000 people camped out when the land went on sale. The town grew quickly with many ''tent stores'' springing up. Settlers arrived before the railroad did, so building materials were brought in by wagon. The Milwaukee Railroad quickly realized the demand for a railroad through Timber Lake, and by May, trains were reaching the thriving new town. Timber Lake officially incorporated in February 1911. The census in 1920 showed a population of 555, making it officially a city of the second class.

In the early 1920s, sewer lines were laid for a town septic system. The digging machine unearthed a metal object, which was put in the bank. Upon further examination, and after it was cleaned, it was determined to be a sculpture of two hands clasping a rose branch with a snake winding through the hands. The origin of this unexpected find is still unknown.

To honor its 100 year anniversary, the Timber Lake community is having a ''Days of 1910'' celebration, complete with a banquet, a talent show and play, and a viewing of 4–H exhibits. I am proud to recognize them on their historic milestone, and I look forward to seeing what else this great town accomplishes.•

TRIBUTE TO SONYA DAMSKER LEFKOVITS

• Mr. SHELBY. Mr. President, today I wish to pay tribute to Sonya Damsker Lefkovits, who is being honored by the Columbiana Chamber of Commerce for her dedication and service to her community.

Sonya was born May 6, 1923, in Memphis, TN, to Louis and Helen Richberger Damsker. Raised in Tyler, TX, Sonya graduated from Tyler High School and went on to attend Louisiana State University, where she earned a degree in public school music. Following her graduation at LSU, Sonya moved to Birmingham to work at the Jewish Welfare Board as its first activities director. It was there that she met her future husband, Norman Leo Lefkovits.

In July, 1947, Sonya married Norman Leo Lefkovits, and she moved to Columbiana to operate the Lefkovits family mercantile store, The Columbiana Leader. Since arriving in Columbiana, AL, nearly 63 years ago, Sonya has been an integral member of her community. In 1949, she became a charter member of the Vignette Club, which gave her the opportunity to participate in various community projects. Among her proudest achievements was working on the building committee during the construction of the Columbia Library when she was chairman of the Columbiana Library Board.

Sonya has also held various community leadership positions. She was a member of the Shelby County High School Band Boosters Club, the womens coordinator for the Columbiana Civil Defense Organization, and co-chairman of the Shelby County Civil War Centennial Commemoration. Sonya was an active member of the Shelby County Historical Society. In 1999, Sonya helped to form the Columbiana Merchants and Professional Association, where she worked on the Columbiana Downtown Renovation Committee. She also served as an ambassador to the South Shelby Chamber of Commerce.

Sonya has two children, Norman Leo Lefkovits, Jr. and Marsha Phyllis Lefkovits, both of whom now reside in California. In the early 1980s, Marsha

served with distinction as a member of my staff in Washington, DC. Soon, Sonya will be leaving Columbiana to join her children on the west coast.

I am sure that Sonya will be sorely missed in Columbiana, whose residents will reap the benefits of her contributions to their community for years to come. Regardless of where she resides, I know that she will continue to touch the lives of everyone fortunate enough to meet her.

I wish Sonya luck on her journey west, and I ask this entire Senate to join me in recognizing and honoring the life and career of my good friend Sonya Lefkovits.●

RECOGNIZING AXIOM TECHNOLOGIES

● Ms. SNOWE. Mr. President, I have long held the belief that the availability of broadband undoubtedly contributes to business expansion, employment growth, and greater educational opportunities. Indeed, the Internet can truly transform the way small firms do business. This is particularly the case in places like my home State of Maine, which is not only largely rural, but is home to over 150,000 small businesses. As such, it is with great admiration that today I recognize Axiom Technologies, based in the town of Machias, for the firm's outstanding commitment to the goal of bringing broadband Internet service to rural Maine communities that have not previously known its remarkable power.

Founded in 2004 by Nelson Geel and Chris Moody, Axiom originally sought to provide inexpensive consulting services to small businesses and communities in Washington County, Maine's easternmost county. Yet the two quickly realized that there was a growing desire for affordable broadband in the area, which was largely overlooked by corporate providers. As such, the company reevaluated its business vision in an attempt to allow rural areas of the State to benefit from the same advantages of broadband Internet provided to Maine's more urban regions.

In addition to operating on a sustainable financial basis, Axiom Technologies prides itself on always attempting to hold true to a unique social mission as well. Axiom is well aware ''of the central role that business plays in society'' and seeks to solidify this responsibility ''by initiating innovative ways to improve the quality of life in the communities in which [it] operate[s].'' Not only has the company done this by spreading equality of access to information through broadband services, but its employees also take it upon themselves to improve their community.

One shining example is Susan Corbett, Axiom's CEO, who was instrumental in the development of a type of community-minded, service-based listserv for Washington County called Mighty Women. In 2006, she, along with some of her entrepreneurial and social service peers, created the ''rolodex'' of e-mail contacts that could be solicited to assist those in need throughout eastern Maine. Indeed, in 2009, the Mighty Women listserv mobilized to raise last minute funds for Washington county children who were in need of toys and warm clothing for the holiday season. With just a week before Christmas, the group raised approximately $3,000 to help give the children the holiday joy that they deserved.

People such as Susan Corbett are representative of the family-like mentality which Axiom Technologies hopes to foster among its employees and within the greater community. Small businesses around the country have historically helped build a sense of community in the areas in which they operate, and Axiom is no exception. The ability to access information via broadband should be something available to all people across America, and Axiom Technologies has built its business around fulfilling this goal. The company has done it economically, but most inspiringly, Axiom has attempted to promote the well-being of the people in the communities they serve. When a business cares about helping others as does Axiom, the community can rest assured that Axiom's employees share their goals and aspirations for improving the overall community.

While small businesses are duly noted as the drivers of the Nation's economy, they cannot be overlooked for their positive social impacts on the communities in which they operate. Although they may serve a relatively small market, Axiom is certainly on the cutting edge when it comes to promoting broadband equality, a goal of national importance. I thank everyone at Axiom for their numerous and varied contributions to the health of Maine's economic future and general welfare, and I wish them much success in the years to come.●

TRIBUTE TO ALTON ''RED'' FRANKLIN

● Mr. VITTER. Mr. President, today I wish to acknowledge Coach Alton ''Red'' Franklin for his dedicated service to Louisiana and in particular to Haynesville High School in northern Louisiana. I would like to take some time to make a few remarks on his accomplishments.

Throughout his distinguished career as the Haynesville High School football coach, he won 27 district championships and participated in the State playoffs 31 times. The team had 8 undefeated seasons and 191 shutouts. Coach Franklin led the team to 11 State championships in four decades winning four consecutive State championships from 1993 to 1996. Coach Franklin was inducted in the Louisiana High School Coaches Association Hall of Fame in 1991. He was also named State coach of the year 6 times and district coach of the year 23 times throughout his career.

When Coach Franklin retired in January of 2002, he retired as the second most winningest football coach in Louisiana history and number 15 nationally. Coach Franklin had accumulated a remarkable record of 366 wins, 76 losses, and 8 ties.

Even after his outstanding career, Red Franklin continued to be actively involved in his community, returning to Haynesville High in 2003 as a volunteer assistant coach for his son David, the current head coach. In 2009, Red Franklin won his first State championship as an assistant coach to his son. On July 10, 2010, Red Franklin received the high honor of being inducted into the National Federation of State High School Associations Hall of Fame Class of 2010.

Thus, today, I honor a fellow Louisianian, Coach Alton ''Red'' Franklin, for his exceptional and distinguished service to Haynesville High School and to our State.●

MESSAGES FROM THE HOUSE

At 11:13 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2693. An act to amend title VII of the Oil Pollution Act of 1990, and for other purposes.

H.R. 4380. An act to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, and for other purposes.

H.R. 5566. An act to amend title 18, United States Code, to prohibit interstate commerce in animal crush videos, and for other purposes.

H.R. 5716. An act to provide for enhancement of existing efforts in support of research, development, demonstration, and commercial application activities to advance technologies for the safe and environmentally responsible exploration, development, and production of oil and natural gas resources.

The House also announced it passed the following bill, without amendment:

S. 1053. An act to amend the National Law Enforcement Museum Act to extend the termination date.

The message further announced that the House agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 292. Concurrent resolution supporting the goals and ideals of National Aerospace Week, and for other purposes.

At 3:00 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House agreed to the amendment of the Senate to the amendment of the House to the amendment of the Senate to the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

ENROLLED BILL SIGNED

At 4:31 p.m., a message from the House of Representatives, delivered by

Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 4213. An act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. INOUYE).

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2693. An act to amend title VII of the Oil Pollution Act of 1990, and for other purposes; to the Committee on Commerce, Science, and Transportation.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 292. Concurrent resolution supporting the goals and ideals of National Aerospace Week, and for other purposes; to the Committee on Commerce, Science, and Transportation.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3628. A bill to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3643. A bill to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, to improve oil spill compensation, to terminate the moratorium on deepwater drilling, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–6789. A communication from the Director of the Regulatory Review Group, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Dairy Product Price Support Program and Dairy Indemnity Payment Program'' (RIN0560–AH88) received in the Office of the President of the Senate on July 21, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6790. A communication from the Director of the Regulatory Review Group, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Wheat and Oilseed Programs; Durum Wheat Quality Program'' (RIN0560–AH72) received in the Office of the President of the Senate on July 21, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6791. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report to the Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC–6792. A communication from the Deputy Assistant General Counsel, Office of Aviation Enforcement and Proceedings, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Posting of Flight Delay Data on Websites'' (RIN2105–AE02) received in the Office of the President of the Senate on July 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6793. A communication from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Procedures for Abatement of Highway Traffic Noise and Construction Noise'' (RIN2125–AF26) received in the Office of the President of the Senate on July 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6794. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Skate Complex Fishery; Amendment 3'' (RIN0648–AW30) received in the Office of the President of the Senate on July 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6795. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Framework Adjustment 21'' (RIN0648–AY43) received in the Office of the President of the Senate on July 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6796. A communication from the Acting Director for Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Closure'' (RIN0648–XW90) received in the Office of the President of the Senate on July 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6797. A communication from the Acting Director for Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Suspension of the Primary Pacific Whiting Season for the Shore-based Sector South of 42 Degrees North Latitude'' (RIN0648–XW80) received in the Office of the President of the Senate on July 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6798. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Model 777 Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2009–1249)) received in the Office of the President of the Senate on July 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6799. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Re-Registration and Renewal of Aircraft Registration'' ((RIN2120–AI89) (Docket No. FAA–2008–0188)) received in the Office of the President of the Senate on July 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6800. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Certification of Aircraft and Airmen for the Operation of Light-Sport Aircraft; Modifications; OMB Approval of Information Collection'' ((RIN2120–AJ10) (Docket No. FAA–2007–29015)) received in the Office of the President of the Senate on July 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6801. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—August 2010'' (Rev. Rul. 2010–19) received in the Office of the President of the Senate on July 21, 2010; to the Committee on Finance.

EC–6802. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Preventive Services Under the Patient Protection and Affordable Care Act'' ((RIN1545–BJ60) (TD 9493)) received in the Office of the President of the Senate on July 21, 2010; to the Committee on Finance.

EC–6803. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, a report entitled, ''2010 Data Book: Healthcare Spending and the Medicare Program''; to the Committee on Finance.

EC–6804. A communication from the General Counsel of the Department of Defense, transmitting a legislative proposal relative to authorizing the President to transfer certain naval vessels by grant; to the Committee on Foreign Relations.

EC–6805. A communication from the General Counsel, Occupational Safety and Health Review Commission, transmitting, pursuant to law, the report of a rule entitled ''Regulations Implementing the Freedom of Information Act'' (29 CFR Part 2201) received in the Office of the President of the Senate on July 21, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–6806. A communication from the Chief Privacy Officer, Privacy Office, Department of Homeland Security, transmitting, pursuant to law, a report entitled ''Privacy Office Third Quarter Fiscal Year 2010 Report to Congress''; to the Committee on Homeland Security and Governmental Affairs.

EC–6807. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to the Tribal-State Road Maintenance Agreements Report; to the Committee on Indian Affairs.

EC–6808. A communication from the Department of State, transmitting, a report on the Verification of the Treaty Between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (The New START Treaty) (OSS Control No. 2010–1146) signed in April 8, 2010 in Prague; to the Committee on the Judiciary.

EC–6809. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2010–1061); to the Committee on the Judiciary.

EC–6810. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the progress and status of compliance with

the privatization requirements of the National Capital Revitalization and Self-Government Improvement Act of 1997; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–131. A resolution adopted by the Senate of the State of Louisiana urging Congress to oppose the creation of a new consumer regulatory agency for FDIC insured institutions; to the Committee on Banking, Housing, and Urban Affairs.

SENATE RESOLUTION, NO. 147

Whereas, H.R. 4173 and S. 3217 are sweepingly broad bills pending in conference in the United States Congress that would restructure the financial regulatory system; and

Whereas, both measures would create a new Consumer Financial Protection Agency/Bureau with overly broad powers that would have complete authority over Louisiana banks and thrifts with respect to writing future consumer regulations; and

Whereas, although improvements can and should be made to further protect consumers from unscrupulous practices, the creation of an enormous, new federal bureaucracy is the wrong approach because it will harm both Louisiana banks and their customers; and

Whereas, Louisiana banks and thrifts will be subject to greatly increased regulation and compliance costs, which will hamper their ability to effectively serve their customers' needs; and

Whereas, this increased regulatory burden will likely lead to increased costs of obtaining credit for consumers and overall less access to financial products and services; and

Whereas, the vast majority of FDIC insured institutions, especially Louisiana banks and thrifts, did not contribute to the financial crisis, yet would be subject to the broad jurisdiction of this proposed agency; and

Whereas, Louisiana banks and thrifts are already heavily regulated and examined on a regular basis for compliance with existing consumer laws and safety and soundness; and

Whereas, this new proposed agency, which has no experience as a bank regulator, would likely create a mountain of new regulation that is one sided in its focus without balancing bank safety and soundness considerations of the financial institution; and

Whereas, this will put Louisiana banks and thrifts in a position where they must try to comply with conflicting mandates that ultimately could put their businesses at risk; and

Whereas, creating another layer of bureaucracy in the banking industry also does not address the gaps in regulation that exist with respect to non-bank lenders; and

Whereas, the Obama administration itself has acknowledged that 94% of the high-cost mortgage loans that have so damaged our economy were made by non-bank financial companies; and

Whereas, with this in mind, Congress should concentrate on improving the supervision and examination of such non-bank institutions rather than adding to an already large regulatory compliance structure for banks and thrifts. Therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to oppose the creation of a new consumer regulatory agency for FDIC insured institutions. Be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM–132. A resolution adopted by the Senate of the State of Louisiana urging the federal government to explore creating a federal entity to oversee and enforce federal, state, and local safety regulations on all deep-water drilling rigs; to the Committee on Energy and Natural Resources.

SENATE RESOLUTION NO. 136

Whereas, the safety of all individuals working on deep-water drilling rigs is paramount and a top priority; and

Whereas, after a tragedy like the Deepwater Horizon, governments at every level need to look at ways to incorporate new ideas and rules to prevent similar tragedies from happening again; and

Whereas, after the attacks on September 11, 2001, the federal government created the Transportation Security Administration and the office of law enforcement, Federal Air Marshal Service, to address the security issues that were highlighted by the attacks; and

Whereas, it is necessary for the well-being of this state and this country to have deep-water drilling rigs operating in the absolute safest manner possible; and

Whereas, the implementation of a federal entity whose sole job is to oversee the safety of all deep-water drilling rigs is a necessary and appropriate step in light of the Deepwater Horizon tragedy; and

Whereas, this federal entity may operate in a similar fashion to the Federal Air Marshal Service, with a federal employee stationed on every deep-water drilling rig.

Therefore, be it

Resolved, That the Senate of the Legislature of Louisiana does hereby urge and request the federal government explore creating a federal entity to oversee and enforce federal, state, and local safety regulations on all deep-water drilling rigs. Be it further

Resolved, That a copy of this Resolution be transmitted to secretary Ken Salazar, the United States Department of the Interior, and to each member of the Louisiana Congressional delegation.

POM–133. A resolution adopted by the Senate of the State of Louisiana urging the Department of Commerce to establish a foreign trade zone in the Delta region of Louisiana; to the Committee on Finance.

SENATE RESOLUTION NO. 125

Whereas, foreign-trade zones, established under the Foreign-Trade Zone Act of 1934, are secure areas under United States Customs and Border Protection supervision that are free-trade zones; and

Whereas, usual formal entry procedures and payments of duties are not required on foreign merchandise entering the zone unless it enters the territory for domestic consumption, at which point the importer generally has the choice of paying duties at the rate of either the original foreign materials or the finished product; and

Whereas, domestic goods moved into the zone for export may be considered exported upon admission to the zone for the purpose of excise tax rebates and drawback; and

Whereas, qualified public or private corporations may operate facilities within the zone; and

Whereas, foreign-trade zones offer several commercial advantages, such as the following:

(1) Customs and Border Protection duty and federal excise taxes, if applicable, are paid when merchandise is transferred from the zone for consumption;

(2) Goods may be exported from the zone free of duty and excise tax;

(3) Customs of Border Protection security requirements provide protection against theft;

(4) Merchandise may remain in the zone indefinitely; and

Whereas, the Mississippi River is a strategic asset to international manufacturers; and

Whereas, Act No. 347 of the 2007 Regular Session of the Legislature of Louisiana enacted Louisiana Revised Statutes 3:33, the Delta Develop Initiative; and

Whereas, Act 347 defined the ''Delta Region'' to include Caldwell, Catahoula, Concordia, East Carroll, Franklin, Madison, Morehouse, Ouachita, Pointe Coupee, Richland, Tensas, and West Carroll parishes, a cross roads intersection of the Mississippi River and the 1–20 corridor that connects the South Central United States from Dallas, Texas to Atlanta, Georgia; and

Whereas, a proposed foreign-trade zone in the Delta region could consolidate marine, rail and base transport; offer industrial storage facilities; provide light assembly, warehousing and logistics services; and provide inbound and outbound connections to rail, truck, air, and barge transportation. Therefore, be it

Resolved, That the Senate of the Legislature of Louisiana does hereby urge and request the United States Department of Commerce to establish a foreign trade zone in the Delta region of Louisiana. Be it further

Resolved, That a copy of this Resolution be transmitted to the secretary of the United States Department of Commerce, each member of the Louisiana Congressional delegation, and the governor of Louisiana.

POM–134. A concurrent resolution adopted by the Legislature of the State of Louisiana urging Congress to continue to support and invest in the National Cancer Institute Community Cancer Centers Program; to the Committee on Health, Education, Labor, and Pensions.

SENATE CONCURRENT RESOLUTION NO. 122

Whereas, the National Cancer Institute (NCI) Community Cancer Centers Program (NCCCP) began in 2007 to provide community cancer centers and their patients across the United States better access to the most advanced cancer research; and

Whereas, NCI estimates that the vast majority of cancer patients (about 85 percent) are treated at community hospitals in or near the communities in which they live and only about 15 percent of U.S. cancer patients are diagnosed and treated at the nation's major academic-based cancer centers; and

Whereas, many patients choose community hospitals because they are close to family, friends, and jobs, whereas treatment at the major cancer centers may require long commutes or extended stays away from home; and

Whereas, the NCCCP extends NCI programs into local communities, giving patients easier access to state-of-the-art cancer care and clinical trial opportunities; and

Whereas, the NCI Community Cancer Centers Program has formed a national network of community cancer centers to expand cancer research and deliver the most advanced cancer care to more Americans in the communities where they live; and

Whereas, the Cancer Program of Our Lady of the Lake and Mary Bird Perkins was one of only 16 community cancer programs in the country selected to participate in the NCI Community Cancer Centers Program because of its proven medical leadership, phenomenal community outreach and experience in conducting clinical trials; and

Whereas, the Cancer Program of Our Lady of the Lake and Mary Bird Perkins was the

only cancer program in Louisiana, and the only program in the Gulf South, selected for the NCI Community Cancer Centers Program; and

Whereas, the NCI Community Cancer Centers Program is designed to create a community-based cancer center network to support basic, clinical and population-based research initiatives, addressing the full cancer care continuum from prevention, screening, diagnosis, treatment and survivorship through end-of-life care; and

Whereas, the seven major focus areas of the NCI Community Cancer Centers Program are to reduce cancer healthcare disparities, improve quality of care, increase participation in clinical trials, enhance cancer survivorship and palliative care services, participate in biospecimen research initiatives to support personalized medicine, expand use of electronic health records and connect to cancer research data network and enhance cancer advocacy; and

Whereas, the sixteen initial pilot hospitals have made considerable progress toward achieving the major program goals and are defining for NCI what it takes to build a national network of community hospitals that are fully engaged in cancer research and offer the latest evidence-based, multidisciplinary care to diverse populations in their home communities; and

Whereas, funding from the American Recovery and Reinvestment Act helped the NCI Community Cancer Centers Program expand from its original pilot network of sixteen to thirty hospitals in twenty-two states. Therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to continue to support and invest in the National Cancer Institute Community Cancer Centers Program, a vital and innovative program that is transforming the way cancer care is delivered across the nation. Be it further

Resolved, That a copy of this Resolution be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM–135. A concurrent resolution adopted by the Legislature of the State of Louisiana urging Congress to adopt and submit to the states for ratification the Parental Rights Amendment to the Constitution of the United States; to the Committee on the Judiciary.

SENATE CONCURRENT RESOLUTION NO. 38

Whereas, the right of parents to direct the upbringing and education of their children is a fundamental right protected by the Constitution of the United States and the Constitution of Louisiana; and

Whereas, our nation has historically relied first and foremost upon parents to meet the real and constant needs of children; and

Whereas, the interests of children are best served when parents are free to make child-rearing decisions about education, religion, and other areas of a child's life without state interference; and

Whereas, the United States Supreme Court, in Wisconsin v. Yoder, 406 U.S. 205 (1972), held that ''This primary role of the parents in the upbringing of their children is now established beyond debate as an enduring American tradition''; and

Whereas, however, in Troxel v. Granville, 530 U.S. 57 (2000), six justices of the United States Supreme Court filed opinions on the nature and enforceability of parental rights under the Constitution of the United States; and

Whereas, the number of written opinions in Troxel v. Granville has created confusion and ambiguity about the fundamental nature of parental rights in the laws and society of the several states; and

Whereas, H. J. Res. 42 and S.J. Res. 16 were introduced during the First Session of the 111th Congress to provide for an amendment to the United States Constitution to prevent erosion of the enduring American tradition of treating parental rights as fundamental rights, and the legislation states:

''Section One: The liberty of parents to direct the upbringing and education of their children is a fundamental right.

Section Two: Neither the United States nor any State shall infringe upon this right without demonstrating that its governmental interest as applied to the person is of the highest order and not otherwise served.

Section Three: No treaty may be adopted nor shall any source of international law be employed to supersede, modify, interpret, or apply to the rights guaranteed by this article''; and

Whereas, this amendment would add explicit text to the Constitution of the United States to forever protect the rights of parents as they are now enjoyed, without substantive change to current state or federal laws respecting these rights; and

Whereas, the enumeration of these rights in the text of the Constitution of the United States would preserve these rights from being infringed upon by shifting ideologies and interpretations of the United States Supreme Court. Therefore, be it

Resolved, that the Legislature of Louisiana memorializes the Congress of the United States to adopt and submit to the states for ratification the Parental Rights Amendment to the Constitution of the United States. Be it further

Resolved, that a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DORGAN, from the Committee on Appropriations, without amendment:

S. 3635. An original bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2011, and for other purposes (Rept. No. 111–228).

By Ms. MIKULSKI, from the Committee on Appropriations, without amendment:

S. 3636. An original bill making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2011, and for other purposes (Rept. No. 111–229).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 258. A bill to amend the Controlled Substances Act to provide enhanced penalties for marketing controlled substances to minors.

S. 1684. A bill to establish guidelines and incentives for States to establish criminal arsonist and criminal bomber registries and to require the Attorney General to establish a national criminal arsonist and criminal bomber registry program, and for other purposes.

By Mr. DODD, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 3638. An original bill to establish a national safety plan for public transportation, and for other purposes.

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. LAUTENBERG (for himself, Mrs. MURRAY, and Ms. CANTWELL):

S. 3629. A bill to improve the efficiency, operation, and security of the national transportation system to move freight by leveraging investments and promoting partnerships that advance interstate and foreign commerce, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself and Mr. LEMIEUX):

S. 3630. A bill to improve the commercialization potential of National Science Foundation grants, enhance the metrics used to assess such potential, and for other purposes; to the Committee on Finance.

By Mrs. MURRAY:

S. 3631. A bill to encourage innovation to create clean technologies, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND:

S. 3632. A bill to provide for enhanced penalties to combat Medicare and Medicaid fraud, a Medicare data-mining system, and a Beneficiary Verification Pilot Program, and for other purposes; to the Committee on Finance.

By Mr. CARPER (for himself and Ms. SNOWE):

S. 3633. A bill to amend the Solid Waste Disposal Act to improve a provision relating to Federal procurement of recycled materials to reduce greenhouse gas emissions; to the Committee on Environment and Public Works .

By Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico):

S. 3634. A bill to amend the Internal Revenue Code of 1986 to clarify the types of energy conservation subsidies provided by public utilities eligible for income exclusion; to the Committee on Finance.

By Mr. DORGAN:

S. 3635. An original bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2011, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Ms. MIKULSKI:

S. 3636. An original bill making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2011, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. KOHL (for himself, Ms. SNOWE, and Mr. INOUYE):

S. 3637. A bill to authorize appropriations for the Housing Assistance Council; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DODD:

S. 3638. An original bill to establish a national safety plan for public transportation, and for other purposes; from the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

By Mr. ROCKEFELLER (for himself and Mrs. HUTCHISON):

S. 3639. A bill to provide for greater maritime transportation security, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. UDALL of Colorado (for himself, Mr. CRAPO, Mr. GREGG, Mr. BENNET, and Ms. KLOBUCHAR):

S. 3640. A bill to amend the Internal Revenue Code of 1986 to increase the limitations

on the amount excluded from the gross estate with respect to land subject to a qualified conservation easement; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself, Ms. SNOWE, and Mr. ROCKEFELLER):

S. 3641. A bill to create the National Endowment for the Oceans to promote the protection and conservation of United States ocean, coastal, and Great Lakes ecosystems, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. BOXER (for herself, Mr. MERKLEY, Mrs. GILLIBRAND, and Mr. BEGICH):

S. 3642. A bill to ensure that the underwriting standards of Fannie Mae and Freddie Mac facilitate the use of property assessed clean energy programs to finance the installation of renewable energy and energy efficiency improvements; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. McCONNELL (for himself, Ms. MURKOWSKI, Mr. ALEXANDER, Mr. INHOFE, and Mr. THUNE):

S. 3643. A bill to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, to improve oil spill compensation, to terminate the moratorium on deepwater drilling, and for other purposes; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KOHL (for himself and Mr. HATCH):

S. Res. 592. A resolution designating the week of September 13–19, 2010, as ''Polycystic Kidney Disease Awareness Week'', and supporting the goals and ideals of Polycystic Kidney Disease Awareness Week to raise awareness and understanding of polycystic kidney disease and the impact the disease has on patients now and for future generations until it can be cured; to the Committee on the Judiciary.

By Mrs. MURRAY (for herself, Mr. ISAKSON, and Mr. BEGICH):

S. Res. 593. A resolution expressing support for designation of October 7, 2010, as ''Jumpstart's Read for the Record Day''; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID:

S. Res. 594. A resolution to constitute the majority party's membership on certain committees for the One Hundred Eleventh Congress, or until their successors are chosen; considered and agreed to.

ADDITIONAL COSPONSORS

S. 28

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. FEINSTEIN) was withdrawn as a cosponsor of S. 28, a bill to ensure that the courts of the United States may provide an impartial forum for claims brought by United States citizens and others against any railroad organized as a separate legal entity, arising from the deportation of United States citizens and others to Nazi concentration camps on trains owned or operated by such railroad, and by the heirs and survivors of such persons.

At the request of Mr. SCHUMER, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 28, supra.

S. 493

At the request of Mr. CASEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 493, a bill to amend the Internal Revenue Code of 1986 to provide for the establishment of ABLE accounts for the care of family members with disabilities, and for other purposes.

S. 653

At the request of Mr. CARDIN, the names of the Senator from Pennsylvania (Mr. SPECTER), the Senator from North Dakota (Mr. CONRAD), the Senator from Nebraska (Mr. NELSON), the Senator from Virginia (Mr. WEBB), the Senator from Idaho (Mr. CRAPO), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Alabama (Mr. SESSIONS), the Senator from Oregon (Mr. MERKLEY), the Senator from Florida (Mr. LEMIEUX) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 828

At the request of Mr. HARKIN, the name of the Senator from Nebraska (Mr. JOHANNS) was added as a cosponsor of S. 828, a bill to amend the Energy Policy Act of 2005 to provide loan guarantees for projects to construct renewable fuel pipelines, and for other purposes.

S. 850

At the request of Mr. KERRY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 850, a bill to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

S. 941

At the request of Mr. CRAPO, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 1112

At the request of Mr. DODD, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1112, a bill to make effective the proposed rule of the Food and Drug Administration relating to sunscreen drug products, and for other purposes.

S. 1553

At the request of Mr. GRASSLEY, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1674

At the request of Mr. WYDEN, the name of the Senator from California (Mrs. BOXER) 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. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 2747

At the request of Mr. BINGAMAN, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 2747, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 3034

At the request of Mr. SCHUMER, the names of the Senator from Florida (Mr. NELSON), the Senator from California (Mrs. FEINSTEIN), the Senator from Delaware (Mr. CARPER), the Senator from Colorado (Mr. BENNET), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Hawaii (Mr. INOUYE), the Senator from Illinois (Mr. BURRIS), the Senator from Illinois (Mr. DURBIN), the Senator from Nebraska (Mr. NELSON), the Senator from Iowa (Mr. GRASSLEY) and the Senator from New Hampshire (Mr. GREGG) were added as cosponsors of S. 3034, a bill to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center.

S. 3079

At the request of Mr. MERKLEY, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 3079, a bill to assist in the creation of new jobs by providing financial incentives for owners of commercial buildings and multi-family residential buildings to retrofit their buildings with energy efficient building equipment and materials and for other purposes.

S. 3084

At the request of Ms. KLOBUCHAR, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 3084, a bill to increase the competitiveness of United States businesses, particularly small and medium-sized manufacturing firms, in

interstate and global commerce, foster job creation in the United States, and assist United States businesses in developing or expanding commercial activities in interstate and global commerce by expanding the ambit of the Hollings Manufacturing Extension Partnership program and the Technology Innovation Program to include projects that have potential for commercial exploitation in nondomestic markets, providing for an increase in related resources of the Department of Commerce, and for other purposes.

S. 3297

At the request of Mr. FEINGOLD, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 3297, a bill to update United States policy and authorities to help advance a genuine transition to democracy and to promote recovery in Zimbabwe.

S. 3397

At the request of Ms. KLOBUCHAR, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 3397, a bill to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes.

S. 3434

At the request of Mr. BINGAMAN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) 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. 3508

At the request of Mr. UDALL of New Mexico, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 3508, a bill to strengthen the capacity of the United States to lead the international community in reversing renewable natural resource degradation trends around the world that threaten to undermine global prosperity and security and eliminate the diversity of life on Earth, and for other purposes.

S. 3513

At the request of Mr. GRAHAM, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 3513, a bill to amend the Internal Revenue Code of 1986 to extend for one year the special depreciation allowances for certain property.

S. 3578

At the request of Mr. JOHANNS, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 3578, a bill to repeal the expansion of information reporting requirements for payments of $600 or more to corporations, and for other purposes.

S. 3597

At the request of Mr. ROCKEFELLER, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 3597, a bill to improve the ability of the National Oceanic and Atmospheric Administration, the Coast Guard, and coastal States to sustain healthy ocean and coastal ecosystems by maintaining and sustaining their capabilities relating to oil spill preparedness, prevention, response, restoration, and research, and for other purposes.

S. 3619

At the request of Mr. TESTER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 3619, a bill to amend the Energy Independence and Security Act of 2007 to improve geothermal energy technology and demonstrate the use of geothermal energy in large scale thermal applications, and for other purposes.

S. 3621

At the request of Mr. JOHNSON, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 3621, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs.

S. 3622

At the request of Mr. JOHANNS, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 3622, a bill to require the Administrator of the Environmental Protection Agency to finalize a proposed rule to amend the spill prevention, control, and countermeasure rule to tailor and streamline the requirements for the dairy industry, and for other purposes.

S.J. RES. 29

At the request of Mr. MCCONNELL, the name of the Senator from New York (Mr. SCHUMER) 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 Wyoming (Mr. ENZI) 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. 585

At the request of Mr. INOUYE, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Res. 585, a resolution designating the week of August 2 through August 8, 2010, as ''National Convenient Care Clinic Week'', and supporting the goals and ideals of raising awareness of the need for accessible and cost-effective health care options to complement the traditional health care model.

S. RES. 586

At the request of Mr. FEINGOLD, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 586, a resolution supporting democracy, human rights, and civil liberties in Egypt.

S. RES. 591

At the request of Mr. HARKIN, the names of the Senator from Nevada (Mr. REID), the Senator from Massachusetts (Mr. KERRY), the Senator from Maryland (Mr. CARDIN), the Senator from Connecticut (Mr. DODD), the Senator from Illinois (Mr. DURBIN), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Pennsylvania (Mr. CASEY), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Maryland (Ms. MIKULSKI), the Senator from South Dakota (Mr. JOHNSON), the Senator from Washington (Mrs. MURRAY), the Senator from Vermont (Mr. LEAHY), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Ohio (Mr. BROWN), the Senator from Indiana (Mr. BAYH), the Senator from Oregon (Mr. MERKLEY), the Senator from Illinois (Mr. BURRIS), the Senator from California (Mrs. BOXER), the Senator from California (Mrs. FEINSTEIN), the Senator from Michigan (Ms. STABENOW), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Delaware (Mr. KAUFMAN), the Senator from North Dakota (Mr. DORGAN), the Senator from New York (Mrs. GILLIBRAND), the Senator from Hawaii (Mr. AKAKA), the Senator from Arkansas (Mr. PRYOR), the Senator from Minnesota (Mr. FRANKEN), the Senator from Utah (Mr. HATCH), the Senator from Wyoming (Mr. ENZI), the Senator from Maine (Ms. SNOWE), the Senator from Wyoming (Mr. BARRASSO), the Senator from Rhode Island (Mr. REED), the Senator from Michigan (Mr. LEVIN) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. Res. 591, a resolution recognizing and honoring the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990.

At the request of Mr. MENENDEZ, his name was added as a cosponsor of S. Res. 591, supra.

At the request of Ms. COLLINS, her name was added as a cosponsor of S. Res. 591, supra.

AMENDMENT NO. 4433

At the request of Mr. BOND, his name was added as a cosponsor of amendment No. 4433 intended to be proposed to H.R. 5297, an act to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives

for small business job creation, and for other purposes.

AMENDMENT NO. 4476

At the request of Mrs. HUTCHISON, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of amendment No. 4476 intended to be proposed to H.R. 5297, an act to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

AMENDMENT NO. 4494

At the request of Mr. WYDEN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of amendment No. 4494 intended to be proposed to H.R. 5297, an act to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

AMENDMENT NO. 4499

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of amendment No. 4499 proposed to H.R. 5297, an act to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

AMENDMENT NO. 4500

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of amendment No. 4500 proposed to H.R. 5297, an act to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KOHL (for himself, Ms. SNOWE, and Mr. INOUYE):

S. 3637. A bill to authorize appropriations for the Housing Assistance Council; to the Committee on Banking, Housing, and Urban Affairs.

Mr. KOHL. Mr. President, I rise today to introduce the Housing Assistance Council Authorization Act. This legslation will re-authorize appropriations for the Housing Assistance Council, HAC, which has been committed to developing affordable housing in rural communities for over 35 years.

HAC was originally given a three-year authorization through the Farm Bill in 2008. During the past three years HAC made $46.1 million in grants and loans to help build 3,878 homes throughout rural America. The program has leveraged its funding with over $360 million in other financing and has provided essential technical assistance to local non-profits throughout the country in the form of capacity building grants. These critical services help local organizations, rural communities and cities develop safe and affordable housing.

Throughout the country, approximately ⅕ of the Nation's population lives in rural communities. About 7.5 million of the rural population is living in poverty and 2.5 million of them are children. Nearly 3.6 million rural households pay more than 30 percent of their income in housing costs. While housing costs are generally lower in rural counties, wages are dramatically outpaced by the cost of housing. Additionally, the housing conditions are often substandard and there are many families doubled up due to lack of housing. Rural areas lack both affordable rental units and homeownership opportunities needed to serve the population.

There are several federal programs that are aimed at developing affordable housing and economic opportunities in rural communities in both the Department of Housing and Urban Development and the Department of Agriculture. However, rural housing programs have traditionally been underfunded. The administration's fiscal year 2011 budget request zeroed two programs that were devoted to helping rural communities: Rural Innovation Fund, and the Self Help Homeownership Program, SHOP. In many regions, federal funding might be the only assistance available for housing and economic development. The Housing Assistance Council is yet another tool that rural communities can utilize when trying to develop affordable housing.

The presence of the HAC in Wisconsin has made a huge impact on rural housing development in Wisconsin and other rural communities across the country. In Wisconsin, HAC has provided close to $5.2 million in grants and loans to 17 non-profit housing organizations and helped develop 825 units of housing.

Tony Romo, the current quarterback for the Dallas Cowboys, grew up in a HAC-supported self-help home in Burlington, WI. His parents built the home as part of Southeastern Wisconsin Housing Corporation's sweat equity, self-help homeownership program. There are countless examples linking a child's future success to the stability in their childhood home. Tony Romo's story provides one such example of how a child raised in safe, stable homeownership may go on to later success.

I am very honored to work with Senators SNOWE and INOUYE on this legislation. Its passage will allow every state to better serve the needs of the people living in rural areas. I look forward to working with my colleagues to ensure the adoption of this bill.

By Mr. UDALL of Colorado (for himsel, Mr. CRAPO, Mr. GREGG, Mr. BENNET and Ms. KLOBUCHAR):

S. 3640. A bill to amend the Internal Revenue Code of 1986 to increase the limitations on the amount excluded from the gross estate with respect to land subject to a qualified conservation easement; to the Committee on Finance.

Mr. UDALL of Colorado. Mr. President, today I am introducing, along with my friend and colleague Senator CRAPO, legislation to encourage further protection of our treasured lands, ranches and family farms. The American Family Farm and Ranchland Protection Act is a bipartisan piece of legislation that rewards those who protect these lands through conservation easements by increasing their exemption from the estate tax. Put simply, we strongly support conservation efforts and believe we need to do more to give Americans a real incentive to protect our nation's land. It is a companion bill to similar bipartisan legislation in the House of Representatives introduced by Congressman BLUMENAUER.

I have long made conservation of America's natural resources a core component of my public service. In my role as chair of the National Parks Subcommittee, I am continuously focused on preserving our public lands and waters, because we owe it to future generations to leave them a sustainable environment. We did not inherit the land from our parents, we are borrowing it from our children.

However, the Government can only do so much, and many of our most important landscapes are privately owned property. If we are serious about conservation, we must acknowledge the important role that private land owners play in the overall effort to preserve our natural resources for generations to come.

Estate taxes can compromise Americans' ability to conserve private property. After the death of a loved one, families are often forced to subdivide a property and sell it for development to pay the costs of estate taxes. This situation could become more common starting in 2011 when the estate tax is set to revert back to the 2001 level of 55 percent above a $1 million per spouse exemption. Nearly 15 years ago, in an effort to provide some relief and encourage conservation of family farms and ranches, Congress created an exemption from the estate tax of up to 40 percent of the value of the land, capped at $500,000, for land permanently protected by a conservation easement.

A conservation easement is a voluntary agreement between a landowner and the government that permanently restricts certain development and future uses of the land. It often prevents future commercialization, while still permitting historic farming and ranching operations to continue in the family. I know in Colorado, our lands are best cared for when each generation knows its stewardship will reward the next.

When Congress first created the conservation easement exemption from estate taxes in 1997, a 40 percent exemption up to a total of $500,000 made sense. Now, that exclusion is simply too small. Since 1997, average farm real estate values have more than doubled and the average farm is larger, as larger farms are more likely to be economically viable. Incidentally, larger farms are also more likely to hold resources worthy of conservation. The old cap is simply no longer much of an incentive.

My legislation is a simple solution to the inadequacy of the current exemption. It raises the exemption for land under a conservation easement to 50 percent, up to a maximum exclusion of $5 million. It also encourages more robust conservation easements: less protective easements will receive a proportionally lower exemption rate. If we can support greater conservation efforts through a simple update to our existing tax code, then to me, that sounds like a deal worth taking.

This is a small change, but it has a profound effect. Those who choose to enter into a conservation easement will leave a dramatically reduced estate tax burden on their family. This, in turn, will help keep family farms and ranches whole, preserving them for future generations.

This is just a small piece of the estate tax puzzle, but it is an important one. It is critically important for Congress to address the estate tax before the end of this year to prevent it from going back to where it was a decade ago, with an exemption of only $1 million. At that level, it would affect almost every farmer and rancher in my state and in many others, as well as many, many family businesses.

We can protect the land, respect private property, ease tax burdens, and preserve our important farming and ranching heritage with the exemption my legislation proposes. I encourage the Senate to take up and approve this common-sense bill in an expeditious manner.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3640

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 Family Farm and Ranchland Protection Act of 2010''.

SEC. 2. INCREASE IN LIMITATIONS ON THE AMOUNT EXCLUDED FROM THE GROSS ESTATE WITH RESPECT TO LAND SUBJECT TO A QUALIFIED CONSERVATION EASEMENT.

(a) INCREASE IN DOLLAR LIMITATION ON EXCLUSION.—Paragraph (3) of section 2031(c) of the Internal Revenue Code of 1986 (relating to exclusion limitation) is amended by striking ''the exclusion limitation is'' and all that follows and inserting ''the exclusion limitation is $5,000,000.''.

(b) INCREASE IN PERCENTAGE OF VALUE OF LAND WHICH IS EXCLUDABLE.—Paragraph (2) of section 2031(c) of such Code (relating to applicable percentage) is amended—

(1) by striking ''40 percent'' and inserting ''50 percent'', and

(2) by striking ''2 percentage points'' and inserting ''2.5 percentage points''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to the estates of decedents dying after December 31, 2009.

By Mr. WHITEHOUSE (for himself, Ms. SNOWE, and Mr. ROCKEFELLER):

S. 3641. A bill to create the National Endowment for the Oceans to promote the protection and conservation of United States ocean, coastal, and Great Lakes ecosystems, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. WHITEHOUSE. Mr. President, I rise to discuss bipartisan legislation coauthored by my friend and fellow New Englander, OLYMPIA SNOWE, to establish a national endowment for the preservation, conservation, and restoration of our Nation's oceans, our coasts, and our Great Lakes. I also wish to take a moment and say a particular thank-you to an original cosponsor of this legislation, the chairman of the Commerce Committee, Senator ROCKEFELLER of West Virginia.

The National Endowment for the Oceans, along with the President's recent Executive order establishing our country's first ever national ocean policy, represent a long overdue and badly needed commitment to our great waters. While the President's national ocean policy specifies national objectives and outlines processes and government structures to restore, protect, and maintain our ocean and coastal resources, the National Endowment for the Oceans will provide the funding to actually achieve those public purposes. The endowment would make grants available to coastal and Great Lakes States, local government agencies, regional planning bodies, academic institutions, and nonprofit organizations so these entities could embark on projects to learn more about and do a better job of protecting our precious natural resources.

Author C. Clarke once said:

> How inappropriate to call this planet Earth when it is quite clearly ocean.

Oceans cover three-quarters of our planet's surface, contain 90 percent of our planet's water, and produce more than two-thirds of our planet's oxygen. For as long as mankind has lived on the lands of this planet, oceans have sustained our survival and been part of our identity.

Speaking at a dinner in Newport, RI, in 1961, President Kennedy said:

> We are tied to the ocean . . . and when we go back to the sea, whether it is to sail or to watch it, we are going back from whence we came.

My State, and indeed our country, always have kept a special bond with those great waters.

As a practical matter, my State's economy, as do many others, relies on Narragansett Bay and Rhode Island Sound to provide the jobs for fishing, shipbuilding, tourism, and soon, we hope, wind farming. Across America, coastal waters generate over 50 percent of our Nation's gross domestic product and support more than 28 million jobs.

So we don't call Rhode Island the Ocean State just because of its beautiful coasts and beaches. Although as a sailor and proud ambassador for Rhode Island's tourism industry, I will tell my colleagues that Rhode Island's coast is one of the most beautiful places on Earth. We are the Ocean State because from our earliest days we have relied on the ocean and our beloved Narragansett Bay for trade, for food, for jobs, for recreation, and for solace and inspiration.

In part, it is Americans' love of the oceans that drives the need now to protect and restore them. Coastal America is experiencing a huge population boom, leading to more and more construction that puts significant pressure on our natural coastline and our wetlands. Worldwide demand for seafood grows at a pace that our fish stocks cannot keep pace with, and our demand for energy leads us deeper and deeper into the ocean in search of fuel.

For too long, we have been takers from our oceans rather than caretakers of our oceans, and the evidence of our peril is mounting.

From the Arctic Ocean, where ice sheets that have been part of Inuit lore as far back as memory and oral tradition go, are now disappearing, to the tropic seas, where coral reefs that serve as nurseries for ocean life are bleaching and dying, warnings are ringing.

From the far-off waters of the Pacific, where a garbage gyre of accumulated marine litter has grown larger than the State of Texas, to our near coasts such as Rhode Island's own Narragansett Bay where the water temperature has risen 4 degrees in the winter in the last 40 years, an ecosystem shift displacing our historic fisheries, warnings are ringing.

From the top of the oceanic food chain, where pollutants are turning our marine mammals into swimming toxic waste and major pelagic species have suffered a 90-percent population crash, to the very bottom of the food chain where greenhouse gases change the fundamental chemistry of our oceans until they may become too acidic to support the plankton base of the food chain, real warnings are ringing.

Our present day ocean is more acidic today than it has been in 8,000 centuries. A change in ocean chemistry

happening so quickly, we don't know if species will be able to adapt in time to survive. Even if we were to act immediately to curb our carbon pollution, the stress on these ecosystems will certainly worsen for some time from what we have already put into our atmosphere.

So from the far Arctic to the warm tropics, from the far ocean to the near coasts, from the top of the food chain to the bottom, real warning bells are ringing.

We can't begin to know what the total effects on our oceans will be, but what we have observed so far must be deeply troubling to any prudent, thoughtful person.

If you have been to the Biltmore Hotel in downtown Providence, you have seen a large plaque on the wall in the lobby marking the high water mark of the great hurricane of 1938 when a massive storm surge filled downtown Providence and the hotel lobby to a depth of about 5 feet. Sea level rise, another ocean threat, could mean that future storm surges crest much higher, wreaking far worse devastation.

That is a threat that is not unique to Rhode Island. Island nations around the globe are currently preparing for the possibility—really, the inevitability—that they will literally be engulfed by the ocean.

The National Intelligence Council reports that at least 30 American military installations around the world will be underwater if sea levels rise as projected. There is a dangerous feedback loop. The more ice that melts, the greater the danger. As darker ocean water traps rather than reflects the Sun's rays, melting accelerates and leaves us with less and less time to act, less and less time to spare our grandchildren the consequences of our generation's selfishness and folly.

Even seemingly modest changes in temperature, such as the 4 degree increase in Narragansett Bay, wreak havoc on marine ecosystems, causing what amounts to a full ecosystem shift. Anybody who relies on marine life for food, recreation, or a paycheck may soon find their lives changed by the disruption of the ocean's delicate ecosystem.

As a member of the Senate's Committee on Environment and Public Works, I find myself habitually frustrated that this ''tragedy of the commons'' continues to play out, while we stand idly on the sidelines and fail to intervene.

As a source of jobs and economic opportunity, a key element of our American tradition and, truly, the origin of life on our planet, our oceans, and our responsibility for them, ought to occupy a more prominent place on our national agenda.

Yet, our commitment to ocean and coastal preservation is unreliable at best—subject to the volatility of the yearly budget and appropriations process. None other than Robert Ballard, the famed ocean explorer who discovered the Titanic and is current president of the Ocean Exploration Trust, recently lamented that available funds for ocean research often fall far short of desired goals.

As we stand here and BP's oil poisons our Gulf of Mexico, it is time to ask our political system to put the stewardship of our natural resources, our ocean resources, at the forefront of our national agenda. In the past, Congress had established lasting endowments to protect other important American priorities.

Because we believe that a great society must cherish artistic expression and study closely the lessons of history, we established—through the wisdom of Senator Claiborne Pell—the National Endowment for the Arts and the National Endowment for the Humanities. Because we believe that a great society must connect communities to each other, we established a national highway trust fund. Because we believe that a great society must guarantee its elders a dignified and comfortable retirement after a lifetime of work, we established Social Security. Because we are indeed tied to our great waters, we should now act to establish a national endowment for the oceans, coasts, and Great Lakes.

This legislation, as I said, is bipartisan. I thank Senator OLYMPIA SNOWE for joining in this effort. This legislation is science based, with much of the money made available through a competitive grant program that will award funding to research undertaken by academic institutions, on-the-ground conservation by nonprofit organizations, and local governments, and protection of critical public infrastructure.

This legislation is cost effective, coordinating existing efforts of Federal, local, and private programs, reducing duplication of research efforts, and crossing political borders to ensure that every dollar is spent with the greatest possible effect.

This legislation is appropriately paid for with revenue generated from the oilspill liability trust fund, Outer Continental Shelf drilling, offshore renewable energy development, and fines collected for violations of the Federal law off our coastline. Put simply, a small portion of the revenue extracted from our oceans and great waters must be reinvested to now protect their long-term viability.

The ocean provides us with great bounty, and we will continue to take advantage of the ocean's bounty, as we should. We will fish, we will sail, and we will trade. We will dispose of waste. We will extract fuel and construct wind farms. We will put pressure on our oceans. Navies and cruise ships, sailboats and supertankers, will plow their surface. We cannot change that part of our relationship with the sea.

What we can change is what we do in return. We can, for the first time, give back. We can become stewards of our oceans—not just takers, but caretakers.

My wife, Sandra, is a marine biologist. We have watched as the University of Rhode Island, home of the Graduate School of Oceanography, has become a world leader in understanding our oceans and how to conserve them.

We are watching GSO's researchers struggle to keep up with rapid changes reshaping the ecosystems they study. This endowment will help science keep pace with change.

The National Oceanic Atmospheric Administration received $167 million for coastal restoration projects under the Recovery Act last year. More than 800 proposals for shovel-ready projects came in, totaling $3 billion. But NOAA could only fund 50. This endowment will help us move forward with those projects that protect our oceans and drive our economy.

The oceans contain the potential for new discoveries, the potential for new jobs, and the potential for new solutions to the emerging crisis off our shores.

But it is time to act. I urge my colleagues to join Senator SNOWE and myself in support of this legislation. Let ours be the generation that tips the increasingly troubling balance between mankind and the oceans, from whence we came, a little bit back toward the benefit of our oceans.

Ms. SNOWE. Mr. President, as I rise today to join Senator WHITEHOUSE in introducing the National Endowment for the Oceans Act, our Nation continues to bear the brunt of what has now become the biggest offshore oil spill in recorded history. Since April 20, 2010, when the mobile offshore drilling unit Deepwater Horizon exploded and sank 50 miles off the coast of Louisiana, claiming the lives of 11 men, as much as 180 million gallons of oil has spewed into the Gulf of Mexico. The ecosystem, environment, and the culture of the Gulf coast region will feel the effects of this spill for decades to come in the aftermath of an event that has focused National attention on one of our most productive, beautiful, and beloved resources: our oceans and coasts. I also want to acknowledge the support of the Chair of the Senate Committee on Commerce, Science, and Transportation, Senator ROCKEFELLER for his cosponsorship of this initiative.

As Ranking Member on the Commerce Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, and as a Senator from a state which relies heavily on our marine and coastal resources, I have long appreciated the tremendous value of America's oceans, coasts, and Great Lakes. Throughout my time in this body I have pursued policies that would enhance our stewardship of these treasured regions, and permit sustainable use of the bounty they provide. This legislation would ensure a brighter future for these areas that heal our souls and drive our economy.

Investment in our oceans is investment in our future. The United States' exclusive economic zone, encompassing

the area 200 miles out from our shores, covers more of the earth's surface than our land area, and ultimately what affects our coastal economy drives our Nation's economy. More than 75 percent of growth in this country from 1997 to 2007, whether measured in population, jobs, or gross domestic product, occurred in coastal States. Coastal counties, covering just 18 percent of our land area, contributed 42 percent of U.S. economic output in 2007 according to a report published last year by the National Ocean Economics Program. Tourism, inherently reliant on pristine beaches, healthy habitat to foster fish, shellfish, and marine mammals, and fishable, swimmable waters, contributed over half a trillion dollars to our national GDP.

This is why in the 2004 report of the U.S. Commission on Ocean Policy, one of that body's fundamental priorities was the creation of an ocean policy trust fund to supplement existing appropriations for ocean and coastal programs. The Joint Ocean Commission Initiative, comprised of members of that body and the Pew Oceans Commission, has consistently listed establishment of an ocean trust fund among its highest priorities. The National Endowment for the Oceans will at long last meet this demand and provide a consistent stream of supplemental funding to enhance our commitment to protecting and sustaining these most fragile resources.

The fact is, our oceans and coastal regions face more challenges today than at any time in our history. Global climate change is already being felt more pressingly off our shores than our scientists yet understand. In the past few years alone, ocean acidification, a threat so new it was not even mentioned in the Ocean Commission's report, has begun to change the fundamental makeup of the ocean food web and destroy coral reef structures that have for eons girded our shores and provided nursery grounds for countless species of fish. Scientists believe increasing ocean temperatures are to blame for a steep and sudden decline in the southern New England and Long Island Sound lobster populations. This problem is so grave that fishery managers are considering closing the entire fishery in this area that has been rich with lobster throughout the duration of recorded human history. Hypoxic areas known as ''dead zones'' are cropping up off our shores in areas where they never before existed, and the annual hypoxic zone in the Gulf of Mexico regularly encompasses an area the size of the state of New Jersey. I could go on and on, but my point is abundantly clear—our oceans need our help.

This vital legislation would set aside a portion of revenues from offshore oil and gas and renewable energy development on the outer continental shelf and would apply interest generated by the oil spill liability trust fund to a dedicated National Endowment for the Oceans. This endowment would fund three targeted grant programs—one to coastal states, a second to support regional ocean partnerships, and a third to fund the activities of additional ocean research not covered by the other two programs. This money would be available at the discretion of State and Federal resource managers for activities proven to restore, protect, maintain, or understand living marine resources and their habitats and ecosystems.

Funding will supplement, not replace, annual appropriations for the National Oceanic and Atmospheric Administrations, NOAA, and other Federal agencies already carrying out critical work in our ocean, coastal, and Great Lakes regions. In the past I have pressed the Administration and others in this body to increase Federal support for these agencies. I will continue to call for increases in NOAA's base funding until our investment in the agency meets the requirements of its missions. In the meantime, this program would provide a significant boost to our efforts to protect, conserve, restore, and understand the oceans, coasts and Great Lakes so vital to our national heritage, culture, economy, and identity.

I would like once again to thank Senator WHITEHOUSE for his tireless ocean advocacy and his invaluable work to introduce the National Endowment for the Oceans Act, and Senator ROCKEFELLER for his cosponsorship of this initiative, and I look forward to working with them on this and many more ocean issues in the future.

By Mrs. BOXER (for herself, Mr. MERKLEY, Mrs. GILLIBRAND, and Mr. BEGICH):

S. 3642. A bill to ensure that the underwriting standards of Fannie Mae and Freddie Mac facilitate the use of property assessed clean energy programs to finance the installation of renewable energy and energy efficiency improvements; to the Committee on Banking, Housing, and Urban Affairs.

Mrs. BOXER. Mr. President, I rise today to introduce the PACE Assessment Protection Act of 2010. I am pleased to be joined in this effort by my colleagues, Senators MERKLEY, GILLIBRAND, and BEGICH.

Property Assessed Clean Energy or PACE programs allow homeowners and building owners to finance an energy efficiency upgrade to their property through a tax assessment on that property. In this way, property owners are able to spread the cost of the upgrades over several years, lower their energy costs, contribute to a cleaner environment, and create jobs.

In California, nearly half of the State's 58 counties, as well as individual cities, have developed PACE programs or plan to start one, and 23 states as well as the District of Columbia have enacted PACE legislation. The program has the strong support of the White House and the Department of Energy, and many States and cities dedicated Recovery Act funding for their PACE programs.

Despite the promise of this program, the Federal Housing Finance Agency recently ordered Fannie Mae and Freddie Mac to take actions that limit the use of PACE programs in conjunction with their home mortgages, effectively killing the program. FHFA objected that PACE assessments carry a priority lien, ahead of the lenders, on participating properties.

The right of States and localities to secure property tax assessments with a senior position is well established, and in the past, Fannie and Freddie have always respected this right—such as with assessments to finance sidewalks, bridges, or parks and other projects that provide a public benefit—without raising any concerns over the impact of such priority liens. In addition, the Department of Energy issued guidance for municipalities intending to use Recovery Act funding for PACE programs that calls for strong underwriting standards. These guidelines require that the savings a property owner would see as a result of any upgrade must be greater than the cost of the assessment, leaving homeowners in a more financially secure position.

To allow PACE programs to continue, as well as protect homeowners and taxpayers, we must take immediate action to address the overreach by the FHFA. My legislation would require Fannie Mae and Freddie Mac to: adopt sound underwriting standards for financing clean-energy upgrades, consistent with Department of Energy guidelines; treat a PACE assessment as any other property tax assessment and respect States' authority to secure such assessments with a first lien; allow homeowners to finance, refinance, or sell their home without having to repay any PACE assessment first; prohibit discrimination against communities implementing or participating in a PACE program.

The legislation also limits the assessment amount subject to foreclosure to only the unpaid delinquent amount, along with applicable penalties, interest and costs, and not the entire amount.

The current uncertainty surrounding PACE programs is jeopardizing $110 million in Federal investments for California communities, and millions more in other States, which is simply unacceptable. We must take action to protect these initiatives because they create jobs, save homeowners money on their energy bills and help our environment. I urge my colleagues to join me and to support this legislation.

By Mr. MCCONNELL (for himself, Ms. MURKOWSKI, Mr. ALEXANDER, Mr. INHOFE, and Mr. THUNE):

S. 3643. A bill to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, to improve oil spill compensation, to terminate the moratorium on

deepwater drilling, and for other purposes; read the first time.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3643

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Oil Spill Response Improvement Act of 2010''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—OUTER CONTINENTAL SHELF REFORM

Sec. 101. Purposes.
Sec. 102. Definitions.
Sec. 103. National policy for the outer Continental Shelf.
Sec. 104. Structural reform of outer Continental Shelf program management.
Sec. 105. Safety, environmental, and financial reform of the Outer Continental Shelf Lands Act.
Sec. 106. Study on the effect of the moratoria on new deepwater drilling in the Gulf of Mexico on employment and small businesses.
Sec. 107. Reform of other law.
Sec. 108. Safer oil and gas production.
Sec. 109. National Commission on Outer Continental Shelf Oil Spill Prevention.
Sec. 110. Classification of offshore systems.
Sec. 111. Savings provisions.
Sec. 112. Budgetary effects.

TITLE II—OIL SPILL COMPENSATION

Subtitle A—Oil Spill Liability

PART I—OIL POLLUTION ACT OF 1990

Sec. 201. Liability limits.
Sec. 202. Advance payment.

PART II—OIL SPILL LIABILITY TRUST FUND

Sec. 211. Rate of tax for Oil Spill Liability Trust Fund.
Sec. 212. Limitations on expenditures and borrowing authority.

Subtitle B—Federal Oil Spill Research

Sec. 221. Definitions.
Sec. 222. Federal oil spill research.
Sec. 223. National Academy of Science participation.
Sec. 224. Technical and conforming amendments.
Sec. 225. Oil spill response authority.
Sec. 226. Maritime center of expertise.
Sec. 227. National strike force.
Sec. 228. District preparedness and response teams.
Sec. 229. Oil spill response organizations.
Sec. 230. Program for oil spill and hazardous substance release response.
Sec. 230a. Oil and hazardous substance liability.

Subtitle C—Oil and Gas Leasing

Sec. 231. Revenue sharing from outer Continental Shelf areas in certain coastal States.
Sec. 232. Revenue sharing from areas in Alaska Adjacent zone.
Sec. 233. Accelerated revenue sharing to promote coastal resiliency among Gulf producing States.
Sec. 234. Coastal impact assistance program amendments.
Sec. 235. Production of oil from certain Arctic offshore leases.
Sec. 236. Use of stimulus funds to offset spending.

TITLE III—GUIDANCE ON MORATORIUM ON OUTER CONTINENTAL SHELF DRILLING

Sec. 301. Limitation of moratorium on certain permitting and drilling activities.
Sec. 302. Deepwater Horizon incident.

TITLE I—OUTER CONTINENTAL SHELF REFORM

SEC. 101. PURPOSES.

The purposes of this title are—

(1) to rationalize and reform the responsibilities of the Secretary of the Interior with respect to the management of the outer Continental Shelf in order to improve the management, oversight, accountability, safety, and environmental protection of all the resources on the outer Continental Shelf;

(2) to provide independent development and enforcement of safety and environmental laws (including regulations) governing—

(A) energy development and mineral extraction activities on the outer Continental Shelf; and

(B) related offshore activities; and

(3) to ensure a fair return to the taxpayer from, and independent management of, royalty and revenue collection and disbursement activities from mineral and energy resources.

SEC. 102. DEFINITIONS.

In this title:

(1) DEPARTMENT.—The term ''Department'' means the Department of the Interior.

(2) OUTER CONTINENTAL SHELF.—The term ''outer Continental Shelf'' has the meaning given the term in section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331).

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

SEC. 103. NATIONAL POLICY FOR THE OUTER CONTINENTAL SHELF.

Section 3 of the Outer Continental Shelf Lands Act (43 U.S.C. 1332) is amended—

(1) by striking paragraph (3) and inserting the following:

''(3) the outer Continental Shelf is a vital national resource reserve held by the Federal Government for the public, which should be managed in a manner that—

''(A) recognizes the need of the United States for competitive domestic sources of energy, food, minerals, and other resources;

''(B) minimizes the potential impacts of development of those resources on the marine and coastal environment and on human health and safety; and

''(C) acknowledges the long-term economic value to the United States of the balanced, expeditious, and orderly management and production of those resources that safeguards the environment and respects the multiple values and uses of the outer Continental Shelf;'';

(2) in paragraph (4)(C), by striking the period at the end and inserting a semicolon;

(3) in paragraph (5), by striking ''; and'' and inserting a semicolon;

(4) by redesignating paragraph (6) as paragraph (7);

(5) by inserting after paragraph (5) the following:

''(6) exploration, development, and production of energy and minerals on the outer Continental Shelf should be allowed only when those activities can be accomplished in a manner that provides reasonable assurance of adequate protection against harm to life, health, the environment, property, or other users of the waters, seabed, or subsoil; and''; and

(6) in paragraph (7) (as so redesignated)—

(A) by striking ''should be'' and inserting ''shall be''; and

(B) by adding ''best available commercial'' after ''using''.

SEC. 104. STRUCTURAL REFORM OF OUTER CONTINENTAL SHELF PROGRAM MANAGEMENT.

(a) IN GENERAL.—The Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) is amended by adding to the end the following:

''SEC. 32. STRUCTURAL REFORM OF OUTER CONTINENTAL SHELF PROGRAM MANAGEMENT.

''(a) LEASING, PERMITTING, AND REGULATION BUREAUS.—

''(1) ESTABLISHMENT OF BUREAUS.—

''(A) IN GENERAL.—Subject to the discretion granted by Reorganization Plan Number 3 of 1950 (64 Stat. 1262; 43 U.S.C. 1451 note), the Secretary shall establish in the Department of the Interior not more than 2 bureaus to carry out the leasing, permitting, and safety and environmental regulatory functions vested in the Secretary by this Act and the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701 et seq.) related to the outer Continental Shelf.

''(B) CONFLICTS OF INTEREST.—In establishing the bureaus under subparagraph (A), the Secretary shall ensure, to the maximum extent practicable, that any potential organizational conflicts of interest related to leasing, revenue creation, environmental protection, and safety are eliminated.

''(2) DIRECTOR.—Each bureau shall be headed by a Director, who shall be appointed by the President, by and with the advice and consent of the Senate.

''(3) COMPENSATION.—Each Director shall be compensated at the rate provided for level V of the Executive Schedule under section 5316 of title 5, United States Code.

''(4) QUALIFICATIONS.—Each Director shall be a person who, by reason of professional background and demonstrated ability and experience, is specially qualified to carry out the duties of the office.

''(b) ROYALTY AND REVENUE OFFICE.—

''(1) ESTABLISHMENT OF OFFICE.—Subject to the discretion granted by Reorganization Plan Number 3 of 1950 (64 Stat. 1262; 43 U.S.C. 1451 note), the Secretary shall establish in the Department of the Interior an office to carry out the royalty and revenue management functions vested in the Secretary by this Act and the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701 et seq.).

''(2) DIRECTOR.—The office established under paragraph (1) shall be headed by a Director, who shall be appointed by the President, by and with the advice and consent of the Senate.

''(3) COMPENSATION.—The Director shall be compensated at the rate provided for level V of the Executive Schedule under section 5316 of title 5, United States Code.

''(4) QUALIFICATIONS.—The Director shall be a person who, by reason of professional background and demonstrated ability and experience, is specially qualified to carry out the duties of the office.

''(c) OCS SAFETY AND ENVIRONMENTAL ADVISORY BOARD.—

''(1) ESTABLISHMENT.—The Secretary shall establish, under the Federal Advisory Committee Act (5 U.S.C. App.), an Outer Continental Shelf Safety and Environmental Advisory Board (referred to in this subsection as the 'Board'), to provide the Secretary and the Directors of the bureaus established under this section with independent peer-reviewed scientific and technical advice on safe and environmentally compliant energy and mineral resource exploration, development, and production activities.

''(2) MEMBERSHIP.—

''(A) SIZE.—

''(i) IN GENERAL.—The Board shall consist of not more than 12 members, chosen to reflect a range of expertise in scientific, engineering, management, and other disciplines related to safe and environmentally compliant energy and mineral resource exploration, development, and production activities.

''(ii) CONSULTATION.—The Secretary shall consult with the National Academy of Sciences and the National Academy of Engineering to identify potential candidates for membership on the Board.

''(B) TERM.—The Secretary shall appoint Board members to staggered terms of not more than 4 years, and shall not appoint a member for more than 2 consecutive terms.

''(C) CHAIR.—The Secretary shall appoint the Chair for the Board.

''(3) MEETINGS.—The Board shall—

''(A) meet not less than 3 times per year; and

''(B) at least once per year, shall host a public forum to review and assess the overall safety and environmental performance of outer Continental Shelf energy and mineral resource activities.

''(4) REPORTS.—Reports of the Board shall—

''(A) be submitted to Congress; and

''(B) made available to the public in an electronically accessible form.

''(5) TRAVEL EXPENSES.—Members of the Board, other than full-time employees of the Federal Government, while attending a meeting of the Board or while otherwise serving at the request of the Secretary or the Director while serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Federal Government serving without pay.

''(d) SPECIAL PERSONNEL AUTHORITIES.—

''(1) DIRECT HIRING AUTHORITY FOR CRITICAL PERSONNEL.—

''(A) IN GENERAL.—Notwithstanding sections 3104, 3304, and 3309 through 3318 of title 5, United States Code, the Secretary may, upon a determination that there is a severe shortage of candidates or a critical hiring need for particular positions, recruit and directly appoint highly qualified accountants, scientists, engineers, or critical technical personnel into the competitive service, as officers or employees of any of the organizational units established under this section.

''(B) REQUIREMENTS.—In exercising the authority granted under subparagraph (A), the Secretary shall ensure that any action taken by the Secretary—

''(i) is consistent with the merit principles of chapter 23 of title 5, United States Code; and

''(ii) complies with the public notice requirements of section 3327 of title 5, United States Code.

''(2) CRITICAL PAY AUTHORITY.—

''(A) IN GENERAL.—Notwithstanding section 5377 of title 5, United States Code, and without regard to the provisions of that title governing appointments in the competitive service or the Senior Executive Service and chapters 51 and 53 of that title (relating to classification and pay rates), the Secretary may establish, fix the compensation of, and appoint individuals to critical positions needed to carry out the functions of any of the organizational units established under this section, if the Secretary certifies that—

''(i) the positions—

''(I) require expertise of an extremely high level in a scientific or technical field; and

''(II) any of the organizational units established in this section would not successfully accomplish an important mission without such an individual; and

''(ii) exercise of the authority is necessary to recruit an individual exceptionally well qualified for the position.

''(B) LIMITATIONS.—The authority granted under subparagraph (A) shall be subject to the following conditions:

''(i) The number of critical positions authorized by subparagraph (A) may not exceed 40 at any 1 time in either of the bureaus established under this section.

''(ii) The term of an appointment under subparagraph (A) may not exceed 4 years.

''(iii) An individual appointed under subparagraph (A) may not have been an employee of the Department of the Interior during the 2-year period prior to the date of appointment.

''(iv) Total annual compensation for any individual appointed under subparagraph (A) may not exceed the highest total annual compensation payable at the rate determined under section 104 of title 3, United States Code.

''(v) An individual appointed under subparagraph (A) may not be considered to be an employee for purposes of subchapter II of chapter 75 of title 5, United States Code.

''(C) NOTIFICATION.—Each year, the Secretary shall submit to Congress a notification that lists each individual appointed under this paragraph.

''(3) REEMPLOYMENT OF CIVILIAN RETIREES.—

''(A) IN GENERAL.—Notwithstanding part 553 of title 5, Code of Federal Regulations (relating to reemployment of civilian retirees to meet exceptional employment needs), or successor regulations, the Secretary may approve the reemployment of an individual to a particular position without reduction or termination of annuity if the hiring of the individual is necessary to carry out a critical function of any of the organizational units established under this section for which suitably qualified candidates do not exist.

''(B) LIMITATIONS.—An annuitant hired with full salary and annuities under the authority granted by subparagraph (A)—

''(i) shall not be considered an employee for purposes of subchapter III of chapter 83 and chapter 84 of title 5, United States Code;

''(ii) may not elect to have retirement contributions withheld from the pay of the annuitant;

''(iii) may not use any employment under this paragraph as a basis for a supplemental or recomputed annuity; and

''(iv) may not participate in the Thrift Savings Plan under subchapter III of chapter 84 of title 5, United States Code.

''(C) LIMITATION ON TERM.—The term of employment of any individual hired under subparagraph (A) may not exceed an initial term of 2 years, with an additional 2-year appointment under exceptional circumstances.

''(e) CONTINUITY OF AUTHORITY.—Subject to the discretion granted by Reorganization Plan Number 3 of 1950 (64 Stat. 1262; 43 U.S.C. 1451 note), any reference in any law, rule, regulation, directive, or instruction, or certificate or other official document, in force immediately prior to the date of enactment of this section—

''(1) to the Minerals Management Service that pertains to any of the duties and authorities described in this section shall be deemed to refer and apply to the appropriate bureaus and offices established under this section;

''(2) to the Director of the Minerals Management Service that pertains to any of the duties and authorities described in this section shall be deemed to refer and apply to the Director of the bureau or office under this section to whom the Secretary has assigned the respective duty or authority; and

''(3) to any other position in the Minerals Management Service that pertains to any of the duties and authorities described in this section shall be deemed to refer and apply to that same or equivalent position in the appropriate bureau or office established under this section.''.

(b) CONFORMING AMENDMENT.—Section 5316 of title 5, United States Code, is amended by striking ''Director, Bureau of Mines, Department of the Interior'' and inserting the following:

''Bureau Directors, Department of the Interior (2).

''Director, Royalty and Revenue Office, Department of the Interior.''.

SEC. 105. SAFETY, ENVIRONMENTAL, AND FINANCIAL REFORM OF THE OUTER CONTINENTAL SHELF LANDS ACT.

(a) DEFINITIONS.—Section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331) is amended by adding at the end the following:

''(r) SAFETY CASE.—The term 'safety case' means a complete set of safety documentation that provides a basis for determining whether a system is adequately safe for a given application in a given environment.''.

(b) ADMINISTRATION OF LEASING.—Section 5(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1334(a)) is amended in the second sentence—

(1) by striking ''The Secretary may at any time'' and inserting ''The Secretary shall''; and

(2) by inserting after ''provide for'' the following: ''operational safety, the protection of the marine and coastal environment,''.

(c) MAINTENANCE OF LEASES.—Section 6 of the Outer Continental Shelf Lands Act (43 U.S.C. 1335) is amended by adding at the end the following:

''(f) REVIEW OF BOND AND SURETY AMOUNTS.—Not later than May 1, 2011, and every 5 years thereafter, the Secretary shall—

''(1) review the minimum financial responsibility requirements for mineral leases under subsection (a)(11); and

''(2) adjust for inflation based on the Consumer Price Index for all Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor, and recommend to Congress any further changes to existing financial responsibility requirements necessary to permit lessees to fulfill all obligations under this Act or the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.).

''(g) PERIODIC FISCAL REVIEWS AND REPORTS.—

''(1) ROYALTY RATES.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection and every 4 years thereafter, the Secretary shall carry out a review of, and prepare a report that describes—

''(i) the royalty and rental rates included in new offshore oil and gas leases and the rationale for the rates;

''(ii) whether, in the view of the Secretary, the royalty and rental rates described in subparagraph (A) would yield a fair return to the public while promoting the production of oil and gas resources in a timely manner; and

''(iii) whether, based on the review, the Secretary intends to modify the royalty or rental rates.

''(B) PUBLIC PARTICIPATION.—In carrying out a review and preparing a report under subparagraph (A), the Secretary shall provide to the public an opportunity to participate.

''(2) COMPARATIVE REVIEW OF FISCAL SYSTEM.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection and every 4 years thereafter, the Secretary in consultation with the Secretary of the Treasury, shall carry out a comprehensive review of all components of the Federal

offshore oil and gas fiscal system, including requirements and trends for bonus bids, rental rates, royalties, oil and gas taxes, income taxes, wage requirements, regulatory compliance costs, oil and gas fees, and other significant financial elements.

''(B) INCLUSIONS.—The review shall include—

''(i) information and analyses comparing the offshore bonus bids, rents, royalties, taxes, and fees of the Federal Government to the offshore bonus bids, rents, royalties, taxes, and fees of other resource owners (including States and foreign countries); and

''(ii) an assessment of the overall offshore oil and gas fiscal system in the United States, as compared to foreign countries.

''(C) INDEPENDENT ADVISORY COMMITTEE.—In carrying out a review under this paragraph, the Secretary shall convene and seek the advice of an independent advisory committee comprised of oil and gas and fiscal experts from States, Indian tribes, academia, the energy industry, and appropriate nongovernmental organizations.

''(D) REPORT.—The Secretary shall prepare a report that contains—

''(i) the contents and results of the review carried out under this paragraph for the period covered by the report; and

''(ii) any recommendations of the Secretary and the Secretary of the Treasury based on the contents and results of the review.

''(E) COMBINED REPORT.—The Secretary may combine the reports required by paragraphs (1) and (2)(D) into 1 report.

''(3) REPORT DEADLINE.—Not later than 30 days after the date on which the Secretary completes each report under this subsection, the Secretary shall submit copies of the report to—

''(A) the Committee on Energy and Natural Resources of the Senate;

''(B) the Committee on Finance of the Senate;

''(C) the Committee on Natural Resources of the House of Representatives; and

''(D) the Committee on Ways and Means of the House of Representatives.''.

(d) LEASES, EASEMENTS, AND RIGHTS-OF-WAY.—Section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) is amended by striking subsection (d) and inserting the following:

''(d) DISQUALIFICATION FROM BIDDING.—No bid for a lease may be submitted by any entity that the Secretary finds, after prior public notice and opportunity for a hearing—

''(1) is not meeting due diligence, safety, or environmental requirements, constituting significant infractions, on other leases; or

''(2)(A) is a responsible party for a vessel or a facility from which oil is discharged, for purposes of section 1002 of the Oil Pollution Act of 1990 (33 U.S.C. 2702); and

''(B) has failed to meet the obligations of the responsible party under that Act to provide compensation for covered removal costs and damages.''.

(e) EXPLORATION PLANS.—Section 11 of the Outer Continental Shelf Lands Act (43 U.S.C. 1340) is amended—

(1) in subsection (c)—

(A) in the fourth sentence of paragraph (1), by striking ''within thirty days of its submission'' and inserting ''by the deadline described in paragraph (5)'';

(B) by striking paragraph (3) and inserting the following:

''(3) MINIMUM REQUIREMENTS.—

''(A) IN GENERAL.—An exploration plan submitted under this subsection shall include, in such degree of detail as the Secretary by regulation may require—

''(i) a complete description and schedule of the exploration activities to be undertaken;

''(ii) a description of the equipment to be used for the exploration activities, including—

''(I) a description of the drilling unit;

''(II) a statement of the design and condition of major safety-related pieces of equipment;

''(III) a description of any new technology to be used; and

''(IV) a statement demonstrating that the equipment to be used meets the best available commercial technology requirements under section 21(b);

''(iii) a map showing the location of each well to be drilled;

''(iv)(I) a scenario for the potential blowout of the well involving the highest expected volume of liquid hydrocarbons; and

''(II) a complete description of a response plan to control the blowout and manage the accompanying discharge of hydrocarbons, including—

''(aa) the technology and estimated timeline for regaining control of the well; and

''(bb) the strategy, organization, and resources to be used to avoid harm to the environment and human health from hydrocarbons; and

''(v) any other information determined to be relevant by the Secretary.

''(B) DEEPWATER WELLS.—

''(i) IN GENERAL.—Before conducting exploration activities in water depths greater than 500 feet, the holder of a lease shall submit to the Secretary for approval a deepwater operations plan prepared by the lessee in accordance with this subparagraph.

''(ii) TECHNOLOGY REQUIREMENTS.—A deepwater operations plan under this subparagraph shall be based on the best available commercial technology to ensure safety in carrying out the exploration activity and the blowout response plan.

''(iii) SYSTEMS ANALYSIS REQUIRED.—The Secretary shall not approve a deepwater operations plan under this subparagraph unless the plan includes a technical systems analysis of—

''(I) the safety of the proposed exploration activity;

''(II) the blowout prevention technology; and

''(III) the blowout and spill response plans.''; and

(C) by adding at the end the following:

''(5) DEADLINE FOR APPROVAL.—

''(A) IN GENERAL.—In the case of a lease issued under a sale held after March 17, 2010, the deadline for approval of an exploration plan referred to in the fourth sentence of paragraph (1) is—

''(i) the date that is 90 days after the date on which the plan or the modifications to the plan are submitted; or

''(ii) the date that is not later than an additional 180 days after the deadline described in clause (i), if the Secretary makes a finding that additional time is necessary to complete any environmental, safety, or other reviews.

''(B) EXISTING LEASES.—In the case of a lease issued under a sale held on or before March 17, 2010, the Secretary, with the consent of the holder of the lease, may extend the deadline applicable to the lease for such additional time as the Secretary determines is necessary to complete any environmental, safety, or other reviews.

''(C) EFFECT ON TERM OF LEASE.—In the case of any extension of the deadline for approval of an exploration plan under this Act, the additional time taken by the Secretary shall not be assessed against the term of the associated lease.'';

(2) by redesignating subsections (e) through (h) as subsections (f) through (i), respectively; and

(3) by striking subsection (d) and inserting the following:

''(d) DRILLING PERMITS.—

''(1) IN GENERAL.—The Secretary shall, by regulation, require that any lessee operating under an approved exploration plan obtain a permit—

''(A) before the lessee drills a well in accordance with the plan; and

''(B) before the lessee significantly modifies the well design originally approved by the Secretary.

''(2) ENGINEERING REVIEW REQUIRED.—The Secretary may not grant any drilling permit until the date of completion of a full review of the well system by not less than 2 agency engineers, including a written determination that—

''(A) critical safety systems (including blowout prevention) will use best available commercial technology; and

''(B) blowout prevention systems will include redundancy and remote triggering capability.

''(3) MODIFICATION REVIEW REQUIRED.—The Secretary may not approve any modification of a permit without a determination, after an additional engineering review, that the modification will not compromise the safety of the well system previously approved.

''(4) OPERATOR SAFETY AND ENVIRONMENTAL MANAGEMENT REQUIRED.—The Secretary may not grant any drilling permit or modification of the permit until the date of completion and approval of a safety and environmental management plan that—

''(A) is to be used by the operator during all well operations; and

''(B) includes—

''(i) a description of the expertise and experience requirements of crew members who will be present on the rig; and

''(ii) designation of at least 2 environmental and safety managers that—

''(I) are or will be employees of the operator;

''(II) would be present on the rig at all times; and

''(III) have overall responsibility for the safety and environmental management of the well system and spill response plan; and

''(C) not later than May 1, 2012, requires that all employees on the rig meet the training and experience requirements under section 21(b)(4).

''(e) DISAPPROVAL OF EXPLORATION PLAN.—

''(1) IN GENERAL.—The Secretary shall disapprove an exploration plan submitted under this section if the Secretary determines that, because of exceptional geological conditions in the lease areas, exceptional resource values in the marine or coastal environment, or other exceptional circumstances, that—

''(A) implementation of the exploration plan would probably cause serious harm or damage to life (including fish and other aquatic life), property, mineral deposits, national security or defense, or the marine, coastal or human environments;

''(B) the threat of harm or damage would not disappear or decrease to an acceptable extent within a reasonable period of time; and

''(C) the advantages of disapproving the exploration plan outweigh the advantages of exploration.

''(2) COMPENSATION.—If an exploration plan is disapproved under this subsection, the provisions of subparagraphs (B) and (C) of section 25(h)(2) shall apply to the lease and the plan or any modified plan, except that the reference in section 25(h)(2) to a development and production plan shall be considered to be a reference to an exploration plan.''.

(f) OUTER CONTINENTAL SHELF LEASING PROGRAM.—Section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) is amended—

(1) in subsection (a)—

(A) in the second sentence, by inserting after ''national energy needs'' the following: ''and the need for the protection of the marine and coastal environment and resources'';

(B) in paragraph (1), by striking ''considers'' and inserting ''gives equal consideration to''; and

(C) in paragraph (3), by striking '', to the maximum extent practicable,'';

(2) in subsection (b)—

(A) in paragraph (3), by striking ''and'' at the end;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(5) provide technical review and oversight of the exploration plan and a systems review of the safety of the well design and other operational decisions;

''(6) conduct regular and thorough safety reviews and inspections, and;

''(7) enforce all applicable laws (including regulations).'';

(3) in the second sentence of subsection (d)(2), by inserting '', the head of an interested Federal agency,'' after ''Attorney General'';

(4) in the first sentence of subsection (g), by inserting before the period at the end the following: '', including existing inventories and mapping of marine resources previously undertaken by the Department of the Interior and the National Oceanic and Atmospheric Administration, information provided by the Department of Defense, and other available data regarding energy or mineral resource potential, navigation uses, fisheries, aquaculture uses, recreational uses, habitat, conservation, and military uses on the outer Continental Shelf''; and

(5) by adding at the end the following:

''(i) RESEARCH AND DEVELOPMENT.—

''(1) IN GENERAL.—The Secretary shall carry out a program of research and development to ensure the continued improvement of methodologies for characterizing resources of the outer Continental Shelf and conditions that may affect the ability to develop and use those resources in a safe, sound, and environmentally responsible manner.

''(2) INCLUSIONS.—Research and development activities carried out under paragraph (1) may include activities to provide accurate estimates of energy and mineral reserves and potential on the outer Continental Shelf and any activities that may assist in filling gaps in environmental data needed to develop each leasing program under this section.

''(3) LEASING ACTIVITIES.—Research and development activities carried out under paragraph (1) shall not be considered to be leasing or pre-leasing activities for purposes of this Act.''.

(g) ENVIRONMENTAL STUDIES.—Section 20 of the Outer Continental Shelf Lands Act (43 U.S.C. 1346) is amended—

(1) by redesignating subsections (a) through (f) as subsections (b) through (g), respectively;

(2) by inserting before subsection (b) (as so redesignated) the following:

''(a) COMPREHENSIVE AND INDEPENDENT STUDIES.—

''(1) IN GENERAL.—The Secretary shall develop and carry out programs for the collection, evaluation, assembly, analysis, and dissemination of environmental and other resource data that are relevant to carrying out the purposes of this Act.

''(2) SCOPE OF RESEARCH.—The programs under this subsection shall include—

''(A) the gathering of baseline data in areas before energy or mineral resource development activities occur;

''(B) ecosystem research and monitoring studies to support integrated resource management decisions; and

''(C) the improvement of scientific understanding of the fate, transport, and effects of discharges and spilled materials, including deep water hydrocarbon spills, in the marine environment.

''(3) USE OF DATA.—The Secretary shall ensure that information from the studies carried out under this section—

''(A) informs the management of energy and mineral resources on the outer Continental Shelf including any areas under consideration for oil and gas leasing; and

''(B) contributes to a broader coordination of energy and mineral resource development activities within the context of best available science.

''(4) INDEPENDENCE.—The Secretary shall create a program within the appropriate bureau established under section 32 that shall—

''(A) be programmatically separate and distinct from the leasing program;

''(B) carry out the environmental studies under this section;

''(C) conduct additional environmental studies relevant to the sound management of energy and mineral resources on the outer Continental Shelf;

''(D) provide for external scientific review of studies under this section, including through appropriate arrangements with the National Academy of Sciences; and

''(E) subject to the restrictions of subsections (g) and (h) of section 18, make available to the public studies conducted and data gathered under this section.''; and

(3) in the first sentence of subsection (b)(1) (as so redesignated), by inserting ''every 3 years'' after ''shall conduct''.

(h) SAFETY RESEARCH AND REGULATIONS.—Section 21 of the Outer Continental Shelf Lands Act (43 U.S.C. 1347) is amended—

(1) in the first sentence of subsection (a), by striking ''Upon the date of enactment of this section,'' and inserting ''Not later than May 1, 2011, and every 3 years thereafter,'';

(2) by striking subsection (b) and inserting the following:

''(b) BEST AVAILABLE TECHNOLOGIES AND PRACTICES.—

''(1) IN GENERAL.—In exercising respective responsibilities under this Act, the Secretary, and the Secretary of the Department in which the Coast Guard is operating, shall require, on all new drilling and production operations and, to the maximum extent practicable, on existing operations, the use of the best available and safest commercial technologies and practices, if the failure of equipment would have a significant effect on safety, health, or the environment.

''(2) IDENTIFICATION OF BEST AVAILABLE TECHNOLOGIES.—Not later than May 1, 2011, the Secretary shall identify and publish a list, to be updated and maintained to reflect technological advances, of best available commercial technologies for key areas of well design and operation, including blowout prevention and blowout and oil spill response.

''(3) SAFETY CASE.—Not later than May 1, 2011, the Secretary shall promulgate regulations requiring a safety case be submitted along with each new application for a permit to drill on the outer Continental Shelf.

''(4) EMPLOYEE TRAINING.—

''(A) IN GENERAL.—Not later than May 1, 2011, the Secretary shall promulgate regulations setting standards for training for all workers on offshore facilities (including mobile offshore drilling units) conducting energy and mineral resource exploration, development, and production operations on the outer Continental Shelf.

''(B) REQUIREMENTS.—The training standards under this paragraph shall require that employers of workers described in subparagraph (A)—

''(i) establish training programs approved by the Secretary; and

''(ii) demonstrate that employees involved in the offshore operations meet standards that demonstrate the aptitude of the employees in critical technical skills.

''(C) EXPERIENCE.—The training standards under this section shall require that any offshore worker with less than 5 years of applied experience in offshore facilities operations pass a certification requirement after receiving the appropriate training.

''(D) MONITORING TRAINING COURSES.—The Secretary shall ensure that Department employees responsible for inspecting offshore facilities monitor, observe, and report on training courses established under this paragraph, including attending a representative number of the training sessions, as determined by the Secretary.''; and

(3) by adding at the end the following:

''(g) TECHNOLOGY RESEARCH AND RISK ASSESSMENT PROGRAM.—

''(1) IN GENERAL.—The Secretary shall carry out a program of research, development, and risk assessment to address technology and development issues associated with outer Continental Shelf energy and mineral resource activities, with the primary purpose of informing the role of research, development, and risk assessment relating to safety, environmental protection, and spill response.

''(2) SPECIFIC AREAS OF FOCUS.—The program under this subsection shall include research, development, and other activities related to—

''(A) risk assessment, using all available data from safety and compliance records both within the United States and internationally;

''(B) analysis of industry trends in technology, investment, and interest in frontier areas;

''(C) analysis of incidents investigated under section 22;

''(D) reviews of best available commercial technologies, including technologies associated with pipelines, blowout preventer mechanisms, casing, well design, and other associated infrastructure related to offshore energy development;

''(E) oil spill response and mitigation;

''(F) risks associated with human factors; and

''(G) renewable energy operations.

''(3) INFORMATION SHARING ACTIVITIES.—

''(A) DOMESTIC ACTIVITIES.—The Secretary shall carry out programs to facilitate the exchange and dissemination of scientific and technical information and best practices related to the management of safety and environmental issues associated with energy and mineral resource exploration, development, and production.

''(B) INTERNATIONAL COOPERATION.—The Secretary shall carry out programs to cooperate with international organizations and foreign governments to share information and best practices related to the management of safety and environmental issues associated with energy and mineral resource exploration, development, and production.

''(4) REPORTS.—The program under this subsection shall provide to the Secretary, each Bureau Director under section 32, and the public quarterly reports that address—

''(A) developments in each of the areas under paragraph (2); and

''(B)(i) any accidents that have occurred in the past quarter; and

''(ii) appropriate responses to the accidents.

''(5) INDEPENDENCE.—The Secretary shall create a program within the appropriate bureau established under section 32 that shall—

''(A) be programmatically separate and distinct from the leasing program;

''(B) carry out the studies, analyses, and other activities under this subsection;

''(C) provide for external scientific review of studies under this section, including through appropriate arrangements with the National Academy of Sciences; and

''(D) make available to the public studies conducted and data gathered under this section.

''(6) USE OF DATA.—The Secretary shall ensure that the information from the studies and research carried out under this section inform the development of safety practices and regulations as required by this Act and other applicable laws.''.

(i) ENFORCEMENT.—Section 22 of the Outer Continental Shelf Lands Act (43 U.S.C. 1348) is amended—

(1) in subsection (d)—

(A) in paragraph (1)—

(i) in the first sentence, by inserting '', each loss of well control, blowout, activation of the shear rams, and other accident that presented a serious risk to human or environmental safety,'' after ''fire''; and

(ii) in the last sentence, by inserting ''as a condition of the lease'' before the period at the end;

(B) in the last sentence of paragraph (2), by inserting ''as a condition of lease'' before the period at the end;

(2) in subsection (e)—

(A) by striking ''(e) The'' and inserting the following:

''(e) REVIEW OF ALLEGED SAFETY VIOLATIONS.—

''(1) IN GENERAL.—The''; and

(B) by adding at the end the following:

''(2) INVESTIGATION.—The Secretary shall investigate any allegation from any employee of the lessee or any subcontractor of the lessee made under paragraph (1).''; and

(3) by adding at the end of the section the following:

''(g) INDEPENDENT INVESTIGATION.—

''(1) IN GENERAL.—At the request of the Secretary, the National Transportation Safety Board may conduct an independent investigation of any accident, occurring in the outer Continental Shelf and involving activities under this Act, that does not otherwise fall within the definition of an accident or major marine casualty, as those terms are used in chapter 11 of title 49, United States Code.

''(2) TRANSPORTATION ACCIDENT.—For purposes of an investigation under this subsection, the accident that is the subject of the request by the Secretary shall be determined to be a transportation accident within the meaning of that term in chapter 11 of title 49, United States Code.

''(h) INFORMATION ON CAUSES AND CORRECTIVE ACTIONS.—

''(1) IN GENERAL.—For each incident investigated under this section, the Secretary shall promptly make available to all lessees and the public technical information about the causes and corrective actions taken.

''(2) PUBLIC DATABASE.—All data and reports related to an incident described in paragraph (1) shall be maintained in a database that is available to the public.

''(i) INSPECTION FEE.—

''(1) IN GENERAL.—To the extent necessary to fund the inspections described in this paragraph, the Secretary shall collect a nonrefundable inspection fee, which shall be deposited in the Ocean Energy Enforcement Fund established under paragraph (3), from the designated operator for facilities subject to inspection under subsection (c).

''(2) ESTABLISHMENT.—The Secretary shall establish, by rule, inspection fees—

''(A) at an aggregate level equal to the amount necessary to offset the annual expenses of inspections of outer Continental Shelf facilities (including mobile offshore drilling units) by the Department of the Interior; and

''(B) using a schedule that reflects the differences in complexity among the classes of facilities to be inspected.

''(3) OCEAN ENERGY ENFORCEMENT FUND.—There is established in the Treasury a fund, to be known as the 'Ocean Energy Enforcement Fund' (referred to in this subsection as the 'Fund'), into which shall be deposited amounts collected under paragraph (1) and which shall be available as provided under paragraph (4).

''(4) AVAILABILITY OF FEES.—Notwithstanding section 3302 of title 31, United States Code, all amounts collected by the Secretary under this section—

''(A) shall be credited as offsetting collections;

''(B) shall be available for expenditure only for purposes of carrying out inspections of outer Continental Shelf facilities (including mobile offshore drilling units) and the administration of the inspection program;

''(C) shall be available only to the extent provided for in advance in an appropriations Act; and

''(D) shall remain available until expended.

''(5) ANNUAL REPORTS.—

''(A) IN GENERAL.—Not later than 60 days after the end of each fiscal year beginning with fiscal year 2011, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report on the operation of the Fund during the fiscal year.

''(B) CONTENTS.—Each report shall include, for the fiscal year covered by the report, the following:

''(i) A statement of the amounts deposited into the Fund.

''(ii) A description of the expenditures made from the Fund for the fiscal year, including the purpose of the expenditures.

''(iii) Recommendations for additional authorities to fulfill the purpose of the Fund.

''(iv) A statement of the balance remaining in the Fund at the end of the fiscal year.''.

(j) REMEDIES AND PENALTIES.—Section 24 of the Outer Continental Shelf Lands Act (43 U.S.C. 1350) is amended—

(1) by striking subsection (b) and inserting the following:

''(b) CIVIL PENALTY.—

''(1) IN GENERAL.—Subject to paragraphs (2) through (3), if any person fails to comply with this Act, any term of a lease or permit issued under this Act, or any regulation or order issued under this Act, the person shall be liable for a civil administrative penalty of not more than $75,000 for each day of continuance of each failure.

''(2) ADMINISTRATION.—The Secretary may assess, collect, and compromise any penalty under paragraph (1).

''(3) HEARING.—No penalty shall be assessed under this subsection until the person charged with a violation has been given the opportunity for a hearing.

''(4) ADJUSTMENT.—The penalty amount specified in this subsection shall increase each year to reflect any increases in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.'';

(2) in subsection (c)—

(A) in the first sentence, by striking ''$100,000'' and inserting ''$10,000,000''; and

(B) by adding at the end the following: ''The penalty amount specified in this subsection shall increase each year to reflect any increases in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.''; and

(3) in subsection (d), by inserting '', or with reckless disregard,'' after ''knowingly and willfully''.

(k) OIL AND GAS DEVELOPMENT AND PRODUCTION.—Section 25 of the Outer Continental Shelf Lands Act (43 U.S.C. 1351) is amended by striking '', other than the Gulf of Mexico,'' each place it appears in subsections (a)(1), (b), and (e)(1).

(l) CONFLICTS OF INTEREST.—Section 29 of the Outer Continental Shelf Lands Act (43 U.S.C. 1355) is amended to read as follows:

''SEC. 29. CONFLICTS OF INTEREST.

''(a) RESTRICTIONS ON EMPLOYMENT.—No full-time officer or employee of the Department of the Interior who directly or indirectly discharges duties or responsibilities under this Act shall—

''(1) within 2 years after his employment with the Department has ceased—

''(A) knowingly act as agent or attorney for, or otherwise represent, any other person (except the United States) in any formal or informal appearance before;

''(B) with the intent to influence, make any oral or written communication on behalf of any other person (except the United States) to; or

''(C) knowingly aid, advise, or assist in—

''(i) representing any other person (except the United States in any formal or informal appearance before; or

''(ii) making, with the intent to influence, any oral or written communication on behalf of any other person (except the United States) to,

any department, agency, or court of the United States, or any officer or employee thereof, in connection with any judicial or other proceeding, application, request for a ruling or other determination, regulation, order lease, permit, rulemaking, inspection, enforcement action, or other particular matter involving a specific party or parties in which the United States is a party or has a direct and substantial interest which was actually pending under his official responsibility as an officer or employee within a period of one year prior to the termination of such responsibility or in which he participated personally and substantially as an officer or employee;

''(2) within 1 year after his employment with the Department has ceased—

''(A) knowingly act as agent or attorney for, or otherwise represent, any other person (except the United States) in any formal or informal appearance before;

''(B) with the intent to influence, make any oral or written communication on behalf of any other person (except the United States) to; or

''(C) knowingly aid , advise, or assist in —

''(i) representing any other person (except the United States in any formal or informal appearance before, or

''(ii) making, with the intent to influence, any oral or written communication on behalf of any other person (except the United States) to,

the Department of the Interior, or any officer or employee thereof, in connection with any judicial, rulemaking, regulation, order, lease, permit, regulation, inspection, enforcement action, or other particular matter which is pending before the Department of the Interior or in which the Department has a direct and substantial interest; or

''(3) accept employment or compensation, during the 1-year period beginning on the

date on which employment with the Department has ceased, from any person (other than the United States) that has a direct and substantial interest—

''(A) that was pending under the official responsibility of the employee as an officer or employee of the Department during the 1-year period preceding the termination of the responsibility; or

''(B) in which the employee participated personally and substantially as an officer or employee.

''(b) PRIOR EMPLOYMENT RELATIONSHIPS.—No full-time officer or employee of the Department of the Interior who directly or indirectly discharges duties or responsibilities under this Act shall participate personally and substantially as a Federal officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, inspection, enforcement action, or other particular matter in which, to the knowledge of the officer or employee—

''(1) the officer or employee or the spouse, minor child, or general partner of the officer or employee has a financial interest;

''(2) any organization in which the officer or employee is serving as an officer, director, trustee, general partner, or employee has a financial interest;

''(3) any person or organization with whom the officer or employee is negotiating or has any arrangement concerning prospective employment has a financial interest; or

''(4) any person or organization in which the officer or employee has, within the preceding 1-year period, served as an officer, director, trustee, general partner, agent, attorney, consultant, contractor, or employee has a financial interest.

''(c) GIFTS FROM OUTSIDE SOURCES.—No full-time officer or employee of the Department of the Interior who directly or indirectly discharges duties or responsibilities under this Act shall, directly or indirectly, solicit or accept any gift in violation of subpart B of part 2635 of title V, Code of Federal Regulations (or successor regulations).

''(d) EXEMPTIONS.—The Secretary may, by rule, exempt from this section clerical and support personnel who do not conduct inspections, perform audits, or otherwise exercise regulatory or policy making authority under this Act.

''(e) PENALTIES.—

''(1) CRIMINAL PENALTIES.—Any person who violates paragraph (1) or (2) of subsection (a) or subsection (b) shall be punished in accordance with section 216 of title 18, United States Code.

''(2) CIVIL PENALTIES.—Any person who violates subsection (a)(3) or (c) shall be punished in accordance with subsection (b) of section 216 of title 18, United States Code.''.

SEC. 106. STUDY ON THE EFFECT OF THE MORATORIA ON NEW DEEPWATER DRILLING IN THE GULF OF MEXICO ON EMPLOYMENT AND SMALL BUSINESSES.

(a) IN GENERAL.—The Secretary of Energy, acting through the Energy Information Administration, shall publish a monthly study evaluating the effect of the moratoria which followed from the blowout and explosion of the mobile offshore drilling unit *Deepwater Horizon* that occurred on April 20, 2010, and resulting hydrocarbon releases into the environment, on employment and small businesses.

(b) REPORT.—Not later than 60 days after the date of enactment of this Act and at the beginning of each month thereafter during the effective period of the moratoria described in subsection (a), the Secretary of Energy, acting through the Energy Information Administration, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report regarding the results of the study conducted under subsection (a), including—

(1) a survey of the effect of the moratoria on deepwater drilling on employment in the industries directly involved in oil and natural gas exploration in the outer Continental Shelf;

(2) a survey of the effect of the moratoria on employment in the industries indirectly involved in oil and natural gas exploration in the outer Continental Shelf, including suppliers of supplies or services and customers of industries directly involved in oil and natural gas exploration;

(3) an estimate of the effect of the moratoria on the revenues of small business located near the Gulf of Mexico and, to the maximum extent practicable, throughout the United States; and

(4) any recommendations to mitigate possible negative effects on small business concerns resulting from the moratoria.

SEC. 107. REFORM OF OTHER LAW.

Section 388(b) of the Energy Policy Act of 2005 (43 U.S.C. 1337 note; Public Law 109–58) is amended by adding at the end the following:

''(4) FEDERAL AGENCIES.—Any head of a Federal department or agency shall, on request of the Secretary, provide to the Secretary all data and information that the Secretary determines to be necessary for the purpose of including the data and information in the mapping initiative, except that no Federal department or agency shall be required to provide any data or information that is privileged or proprietary.''.

SEC. 108. SAFER OIL AND GAS PRODUCTION.

(a) PROGRAM AUTHORITY.—Section 999A of the Energy Policy Act of 2005 (42 U.S.C. 16371) is amended—

(1) in subsection (a)—

(A) by striking ''ultra-deepwater'' and inserting ''deepwater''; and

(B) by inserting ''well control and accident prevention,'' after ''safe operations,'';

(2) in subsection (b)—

(A) by striking paragraph (1) and inserting the following:

''(1) Deepwater architecture, well control and accident prevention, and deepwater technology, including drilling to deep formations in waters greater than 500 feet.''; and

(B) by striking paragraph (4) and inserting the following:

''(4) Safety technology research and development for drilling activities aimed at well control and accident prevention performed by the Office of Fossil Energy of the Department.''; and

(3) in subsection (d)—

(A) in the subsection heading, by striking ''NATIONAL ENERGY TECHNOLOGY LABORATORY'' and inserting ''OFFICE OF FOSSIL ENERGY OF THE DEPARTMENT''; and

(B) by striking ''National Energy Technology Laboratory'' and inserting ''Office of Fossil Energy of the Department''.

(b) DEEPWATER AND UNCONVENTIONAL ONSHORE NATURAL GAS AND OTHER PETROLEUM RESEARCH AND DEVELOPMENT PROGRAM.—Section 999B of the Energy Policy Act of 2005 (42 U.S.C. 16372) is amended—

(1) in the section heading, by striking ''**ULTRA-DEEPWATER AND UNCONVENTIONAL ONSHORE NATURAL GAS AND OTHER PETROLEUM**'' and inserting ''**SAFE OIL AND GAS PRODUCTION AND ACCIDENT PREVENTION**'';

(2) in subsection (a), by striking '', by increasing'' and all that follows through the period at the end and inserting ''and the safe and environmentally responsible exploration, development, and production of hydrocarbon resources.'';

(3) in subsection (c)(1)—

(A) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(B) by inserting after subparagraph (C) the following:

''(D) projects will be selected on a competitive, peer-reviewed basis.''; and

(4) in subsection (d)—

(A) in paragraph (6), by striking ''ultra-deepwater'' and inserting ''deepwater'';

(B) in paragraph (7)—

(i) in subparagraph (A)—

(I) in the subparagraph heading, by striking ''ULTRA-DEEPWATER'' and inserting ''DEEPWATER'';

(II) by striking ''development and'' and inserting ''research, development, and''; and

(III) by striking ''as well as'' and all that follows through the period at the end and inserting ''aimed at improving operational safety of drilling activities, including well integrity systems, well control, blowout prevention, the use of non-toxic materials, and integrated systems approach-based management for exploration and production in deepwater.'';

(ii) in subparagraph (B), by striking ''and environmental mitigation'' and inserting ''use of non-toxic materials, drilling safety, and environmental mitigation and accident prevention'';

(iii) in subparagraph (C), by inserting ''safety and accident prevention, well control and systems integrity,'' after ''including''; and

(iv) by adding at the end the following:

''(D) SAFETY AND ACCIDENT PREVENTION TECHNOLOGY RESEARCH AND DEVELOPMENT.—Awards from allocations under section 999H(d)(4) shall be expended on areas including—

''(i) development of improved cementing and casing technologies;

''(ii) best management practices for cementing, casing, and other well control activities and technologies;

''(iii) development of integrity and stewardship guidelines for—

''(I) well-plugging and abandonment;

''(II) development of wellbore sealant technologies; and

''(III) improvement and standardization of blowout prevention devices.''; and

(C) by adding at the end the following:

''(8) STUDY; REPORT.—

''(A) STUDY.—As soon as practicable after the date of enactment of this paragraph, the Secretary shall enter into an arrangement with the National Academy of Sciences under which the Academy shall conduct a study to determine—

''(i) whether the benefits provided through each award under this subsection during calendar year 2011 have been maximized; and

''(ii) the new areas of research that could be carried out to meet the overall objectives of the program.

''(B) REPORT.—Not later than January 1, 2012, the Secretary shall submit to the appropriate committees of Congress a report that contains a description of the results of the study conducted under subparagraph (A).

''(C) OPTIONAL UPDATES.—The Secretary may update the report described in subparagraph (B) for the 5-year period beginning on the date described in that subparagraph and each 5-year period thereafter.'';

(5) in subsection (e)—

(A) in paragraph (2)—

(i) in the second sentence of subparagraph (A), by inserting ''to the Secretary for review'' after ''submit''; and

(ii) in the first sentence of subparagraph (B), by striking ''Ultra-Deepwater'' and all that follows through ''and such Advisory

Committees'' and inserting ''Program Advisory Committee established under section 999D(a), and the Advisory Committee''; and

(B) by adding at the end the following:

''(6) RESEARCH FINDINGS AND RECOMMENDATIONS FOR IMPLEMENTATION.—The Secretary, in consultation with the Secretary of the Interior and the Administrator of the Environmental Protection Agency, shall publish in the Federal Register an annual report on the research findings of the program carried out under this section and any recommendations for implementation that the Secretary, in consultation with the Secretary of the Interior and the Administrator of the Environmental Protection Agency, determines to be necessary.'';

(6) in subsection (i)—

(A) in the subsection heading, by striking ''UNITED STATES GEOLOGICAL SURVEY'' and inserting ''DEPARTMENT OF THE INTERIOR''; and

(B) by striking '', through the United States Geological Survey,''; and

(7) in the first sentence of subsection (j), by striking ''National Energy Technology Laboratory'' and inserting ''Office of Fossil Energy of the Department''.

(c) ADDITIONAL REQUIREMENTS FOR AWARDS.—Section 999C(b) of the Energy Policy Act of 2005 (42 U.S.C. 16373(b)) is amended by striking ''an ultra-deepwater technology or an ultra-deepwater architecture'' and inserting ''a deepwater technology''.

(d) PROGRAM ADVISORY COMMITTEE.—Section 999D of the Energy Policy Act of 2005 (42 U.S.C. 16374) is amended to read as follows:

''SEC. 999D. PROGRAM ADVISORY COMMITTEE.

''(a) ESTABLISHMENT.—Not later than 270 days after the date of enactment of the Oil Spill Response Improvement Act of 2010, the Secretary shall establish an advisory committee to be known as the 'Program Advisory Committee' (referred to in this section as the 'Advisory Committee').

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—The Advisory Committee shall be composed of members appointed by the Secretary, including—

''(A) individuals with extensive research experience or operational knowledge of hydrocarbon exploration and production;

''(B) individuals broadly representative of the affected interests in hydrocarbon production, including interests in environmental protection and safety operations;

''(C) representatives of Federal agencies, including the Environmental Protection Agency and the Department of the Interior;

''(D) State regulatory agency representatives; and

''(E) other individuals, as determined by the Secretary.

''(2) LIMITATIONS.—

''(A) IN GENERAL.—The Advisory Committee shall not include individuals who are board members, officers, or employees of the program consortium.

''(B) CATEGORICAL REPRESENTATION.—In appointing members of the Advisory Committee, the Secretary shall ensure that no class of individuals described in any of subparagraphs (A), (B), (D), or (E) of paragraph (1) comprises more than ⅓ of the membership of the Advisory Committee.

''(c) SUBCOMMITTEES.—The Advisory Committee may establish subcommittees for separate research programs carried out under this subtitle.

''(d) DUTIES.—The Advisory Committee shall—

''(1) advise the Secretary on the development and implementation of programs under this subtitle; and

''(2) carry out section 999B(e)(2)(B).

''(e) COMPENSATION.—A member of the Advisory Committee shall serve without compensation but shall be entitled to receive travel expenses in accordance with subchapter I of chapter 57 of title 5, United States Code.

''(f) PROHIBITION.—The Advisory Committee shall not make recommendations on funding awards to particular consortia or other entities, or for specific projects.''.

(e) DEFINITIONS.—Section 999G of the Energy Policy Act of 2005 (42 U.S.C. 16377) is amended—

(1) in paragraph (1), by striking ''200 but less than 1,500 meters'' and inserting ''500 feet'';

(2) by striking paragraphs (8), (9), and (10);

(3) by redesignating paragraphs (2) through (7) and (11) as paragraphs (4) through (9) and (10), respectively;

(4) by inserting after paragraph (1) the following:

''(2) DEEPWATER ARCHITECTURE.—The term 'deepwater architecture' means the integration of technologies for the exploration for, or production of, natural gas or other petroleum resources located at deepwater depths.

''(3) DEEPWATER TECHNOLOGY.—The term 'deepwater technology' means a discrete technology that is specially suited to address 1 or more challenges associated with the exploration for, or production of, natural gas or other petroleum resources located at deepwater depths.''; and

(5) in paragraph (10) (as redesignated by paragraph (3)), by striking ''in an economically inaccessible geological formation, including resources of small producers''.

(f) FUNDING.—Section 999H of the Energy Policy Act of 2005 (42 U.S.C. 16378) is amended—

(1) in the first sentence of subsection (a) by striking ''Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Research Fund'' and inserting ''Safe and Responsible Energy Production Research Fund'';

(2) in subsection (d)—

(A) in paragraph (1), by striking ''35 percent'' and inserting ''21.5 percent'';

(B) in paragraph (2), by striking ''32.5 percent'' and inserting ''21 percent'';

(C) in paragraph (4)—

(i) by striking ''25 percent'' and inserting ''30 percent'';

(ii) by striking ''complementary research'' and inserting ''safety technology research and development''; and

(iii) by striking ''contract management,'' and all that follows through the period at the end and inserting ''and contract management.''; and

(D) by adding at the end the following:

''(5) 20 percent shall be used for research activities required under sections 20 and 21 of the Outer Continental Shelf Lands Act (43 U.S.C. 1346, 1347).''.

(3) in subsection (f), by striking ''Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Research Fund'' and inserting ''Safer Oil and Gas Production and Accident Prevention Research Fund''.

(g) CONFORMING AMENDMENT.—Subtitle J of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16371 et seq.) is amended in the subtitle heading by striking ''**Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Resources**'' and inserting ''**Safer Oil and Gas Production and Accident Prevention**''.

SEC. 109. NATIONAL COMMISSION ON OUTER CONTINENTAL SHELF OIL SPILL PREVENTION.

(a) ESTABLISHMENT.—There is established in the Legislative branch the National Commission on Outer Continental Shelf Oil Spill Prevention (referred to in this section as the ''Commission'').

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

(1) to examine and report on the facts and causes relating to the Deepwater Horizon explosion and oil spill of 2010;

(2) to ascertain, evaluate, and report on the evidence developed by all relevant governmental agencies regarding the facts and circumstances surrounding the incident;

(3) to build upon the investigations of other entities, and avoid unnecessary duplication, by reviewing the findings, conclusions, and recommendations of—

(A) the Committees on Energy and Natural Resources and Commerce, Science, and Transportation of the Senate;

(B) the Committee on Natural Resources and the Subcommittee on Oversight and Investigations of the House of Representatives; and

(C) other Executive branch, congressional, or independent commission investigations into the Deepwater Horizon incident of 2010, other fatal oil platform accidents and major spills, and major oil spills generally;

(4) to make a full and complete accounting of the circumstances surrounding the incident, and the extent of the preparedness of the United States for, and immediate response of the United States to, the incident; and

(5) to investigate and report to the President and Congress findings, conclusions, and recommendations for corrective measures that may be taken to prevent similar incidents.

(c) COMPOSITION OF COMMISSION.—

(1) MEMBERS.—The Commission shall be composed of 10 members, of whom—

(A) 1 member shall be appointed by the President, who shall serve as Chairperson of the Commission;

(B) 1 member shall be appointed by the majority or minority (as the case may be) leader of the Senate from the Republican Party and the majority or minority (as the case may be) leader of the House of Representatives from the Republican Party, who shall serve as Vice Chairperson of the Commission;

(C) 2 members shall be appointed by the senior member of the leadership of the Senate from the Democratic Party;

(D) 2 members shall be appointed by the senior member of the leadership of the House of Representatives from the Republican Party;

(E) 2 members shall be appointed by the senior member of the leadership of the Senate from the Republican Party; and

(F) 2 members shall be appointed by the senior member of the leadership of the House of Representatives from the Democratic Party.

(2) QUALIFICATIONS; INITIAL MEETING.—

(A) POLITICAL PARTY AFFILIATION.—Not more than 5 members of the Commission shall be from the same political party.

(B) NONGOVERNMENTAL APPOINTEES.—An individual appointed to the Commission may not be a current officer or employee of the Federal Government or any State or local government.

(C) OTHER QUALIFICATIONS.—It is the sense of Congress that individuals appointed to the Commission should be prominent United States citizens, with national recognition and significant depth of experience and expertise in such areas as—

(i) engineering;

(ii) environmental compliance;

(iii) health and safety law (particularly oil spill legislation);

(iv) oil spill insurance policies;

(v) public administration;

(vi) oil and gas exploration and production;

(vii) environmental cleanup; and

(viii) fisheries and wildlife management.

(D) DEADLINE FOR APPOINTMENT.—All members of the Commission shall be appointed on or before September 15, 2010.

(E) INITIAL MEETING.—The Commission shall meet and begin the operations of the Commission as soon as practicable after the date of enactment of this Act.

(3) QUORUM; VACANCIES.—

(A) IN GENERAL.—After the initial meeting of the Commission, the Commission shall meet upon the call of the Chairperson or a majority of the members of the Commission.

(B) QUORUM.—6 members of the Commission shall constitute a quorum.

(C) VACANCIES.—Any vacancy in the Commission shall not affect the powers of the Commission, but shall be filled in the same manner in which the original appointment was made.

(d) FUNCTIONS OF COMMISSION.—

(1) IN GENERAL.—The functions of the Commission are—

(A) to conduct an investigation that—

(i) investigates relevant facts and circumstances relating to the Deepwater Horizon incident of April 20, 2010, and the associated oil spill thereafter, including any relevant legislation, Executive order, regulation, plan, policy, practice, or procedure; and

(ii) may include relevant facts and circumstances relating to—

(I) permitting agencies;

(II) environmental and worker safety law enforcement agencies;

(III) national energy requirements;

(IV) deepwater and ultradeepwater oil and gas exploration and development;

(V) regulatory specifications, testing, and requirements for offshore oil and gas well explosion prevention;

(VI) regulatory specifications, testing, and requirements offshore oil and gas well casing and cementing regulation;

(VII) the role of congressional oversight and resource allocation; and

(VIII) other areas of the public and private sectors determined to be relevant to the Deepwater Horizon incident by the Commission;

(B) to identify, review, and evaluate the lessons learned from the Deepwater Horizon incident of April 20, 2010, regarding the structure, coordination, management policies, and procedures of the Federal Government, and, if appropriate, State and local governments and nongovernmental entities, and the private sector, relative to detecting, preventing, and responding to those incidents; and

(C) to submit to the President and Congress such reports as are required under this section containing such findings, conclusions, and recommendations as the Commission determines to be appropriate, including proposals for organization, coordination, planning, management arrangements, procedures, rules, and regulations.

(2) RELATIONSHIP TO INQUIRY BY CONGRESSIONAL COMMITTEES.—In investigating facts and circumstances relating to energy policy, the Commission shall—

(A) first review the information compiled by, and any findings, conclusions, and recommendations of, the committees identified in subparagraphs (A) and (B) of subsection (b)(3); and

(B) after completion of that review, pursue any appropriate area of inquiry, if the Commission determines that—

(i) those committees have not investigated that area;

(ii) the investigation of that area by those committees has not been completed; or

(iii) new information not reviewed by the committees has become available with respect to that area.

(e) POWERS OF COMMISSION.—

(1) HEARINGS AND EVIDENCE.—The Commission or, on the authority of the Commission, any subcommittee or member of the Commission, may, for the purpose of carrying out this section—

(A) hold such hearings, meet and act at such times and places, take such testimony, receive such evidence, and administer such oaths; and

(B) require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, documents, tapes, and materials;

as the Commission or such subcommittee or member considers to be advisable.

(2) SUBPOENAS.—

(A) ISSUANCE.—

(i) IN GENERAL.—A subpoena may be issued under this paragraph only—

(I) by the agreement of the Chairperson and the Vice Chairperson; or

(II) by the affirmative vote of 6 members of the Commission.

(ii) SIGNATURE.—Subject to clause (i), a subpoena issued under this paragraph—

(I) shall bear the signature of the Chairperson or any member designated by a majority of the Commission;

(II) and may be served by any person or class of persons designated by the Chairperson or by a member designated by a majority of the Commission for that purpose.

(B) ENFORCEMENT.—

(i) IN GENERAL.—In the case of contumacy or failure to obey a subpoena issued under subparagraph (A), the United States district court for the district in which the subpoenaed person resides, is served, or may be found, or where the subpoena is returnable, may issue an order requiring the person to appear at any designated place to testify or to produce documentary or other evidence.

(ii) JUDICIAL ACTION FOR NONCOMPLIANCE.—Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(iii) ADDITIONAL ENFORCEMENT.—In the case of any failure of any witness to comply with any subpoena or to testify when summoned under authority of this subsection, the Commission may, by majority vote, certify a statement of fact constituting such failure to the appropriate United States attorney, who may bring the matter before the grand jury for action, under the same statutory authority and procedures as if the United States attorney had received a certification under sections 102 through 104 of the Revised Statutes (2 U.S.C. 192 through 194).

(3) CONTRACTING.—The Commission may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Commission to discharge the duties of the Commission under this section.

(4) INFORMATION FROM FEDERAL AGENCIES.—

(A) IN GENERAL.—The Commission may secure directly from any Executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Federal Government, information, suggestions, estimates, and statistics for the purposes of this section.

(B) COOPERATION.—Each Federal department, bureau, agency, board, commission, office, independent establishment, or instrumentality shall, to the extent authorized by law, furnish information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairperson, the Chairperson of any subcommittee created by a majority of the Commission, or any member designated by a majority of the Commission.

(C) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information shall be received, handled, stored, and disseminated only by members of the Commission and the staff of the Commission in accordance with all applicable laws (including regulations and Executive orders).

(5) ASSISTANCE FROM FEDERAL AGENCIES.—

(A) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the functions of the Commission.

(B) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance prescribed in subparagraph (A), departments and agencies of the United States may provide to the Commission such services, funds, facilities, staff, and other support services as are determined to be advisable and authorized by law.

(6) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property, including travel, for the direct advancement of the functions of the Commission.

(7) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

(f) PUBLIC MEETINGS AND HEARINGS.—

(1) PUBLIC MEETINGS AND RELEASE OF PUBLIC VERSIONS OF REPORTS.—The Commission shall—

(A) hold public hearings and meetings, to the extent appropriate; and

(B) release public versions of the reports required under paragraphs (1) and (2) of subsection (j).

(2) PUBLIC HEARINGS.—Any public hearings of the Commission shall be conducted in a manner consistent with the protection of proprietary or sensitive information provided to or developed for or by the Commission as required by any applicable law (including a regulation or Executive order).

(g) STAFF OF COMMISSION.—

(1) IN GENERAL.—

(A) APPOINTMENT AND COMPENSATION.—

(i) IN GENERAL.—The Chairperson, in consultation with the Vice Chairperson and in accordance with rules agreed upon by the Commission, may, without regard to the civil service laws (including regulations), appoint and fix the compensation of a staff director and such other personnel as are necessary to enable the Commission to carry out the functions of the Commission.

(ii) MAXIMUM RATE OF PAY.—No rate of pay fixed under this subparagraph may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(B) PERSONNEL AS FEDERAL EMPLOYEES.—

(i) IN GENERAL.—The staff director and any personnel of the Commission who are employees shall be considered to be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of that title.

(ii) MEMBERS OF COMMISSION.—Clause (i) shall not apply to members of the Commission.

(2) DETAILEES.—

(A) IN GENERAL.—An employee of the Federal Government may be detailed to the Commission without reimbursement.

(B) CIVIL SERVICE STATUS.—The detail of the employee shall be without interruption or loss of civil service status or privilege.

(3) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(h) COMPENSATION AND TRAVEL EXPENSES.—

(1) COMPENSATION OF MEMBERS.—

(A) NON-FEDERAL EMPLOYEES.—A member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Commission.

(B) FEDERAL EMPLOYEES.—A member of the Commission who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

(2) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(i) SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.—

(1) IN GENERAL.—Subject to paragraph (2), the appropriate Federal agencies or departments shall cooperate with the Commission in expeditiously providing to the members and staff of the Commission appropriate security clearances, to the maximum extent practicable, pursuant to existing procedures and requirements.

(2) PROPRIETARY INFORMATION.—No person shall be provided with access to proprietary information under this section without the appropriate security clearances.

(j) REPORTS OF COMMISSION; ADJOURNMENT.—

(1) INTERIM REPORTS.—The Commission may submit to the President and Congress interim reports containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of members of the Commission.

(2) FINAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Commission shall submit to the President and Congress a final report containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of members of the Commission.

(3) TEMPORARY ADJOURNMENT.—

(A) IN GENERAL.—The Commission, and all the authority provided under this section, shall adjourn and be suspended, respectively, on the date that is 60 days after the date on which the final report is submitted under paragraph (2).

(B) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—The Commission may use the 60-day period referred to in subparagraph (A) for the purpose of concluding activities of the Commission, including—

(i) providing testimony to committees of Congress concerning reports of the Commission; and

(ii) disseminating the final report submitted under paragraph (2).

(C) RECONVENING OF COMMISSION.—The Commission shall stand adjourned until such time as the President or the Secretary of Homeland Security declares an oil spill of national significance to have occurred, at which time—

(i) the Commission shall reconvene in accordance with subsection (c)(3); and

(ii) the authority of the Commission under this section shall be of full force and effect.

(k) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(A) $10,000,000 for the first fiscal year in which the Commission convenes; and

(B) $3,000,000 for each fiscal year thereafter in which the Commission convenes.

(2) AVAILABILITY.—Amounts made available to carry out this section shall be available—

(A) for transfer to the Commission for use in carrying out the functions and activities of the Commission under this section; and

(B) until the date on which the Commission adjourns for the fiscal year under subsection (j)(3).

(l) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(m) CONFLICTS OF INTEREST FOR CERTAIN COMMISSION MEMBERS.—Notwithstanding any other provision of law, any member of a federally sponsored presidential commission that is a senior official in an organization that is engaged in legal action that is materially relevant to the work of the Commission shall be excluded from making recommendations to the President.

SEC. 110. CLASSIFICATION OF OFFSHORE SYSTEMS.

(a) REGULATIONS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary and the Secretary of the Department in which the Coast Guard is operating shall jointly issue regulations requiring systems (including existing systems) used in the offshore exploration, development, and production of oil and gas in the outer Continental Shelf to be constructed, maintained, and operated so as to meet classification, certification, rating, and inspection standards that are necessary—

(A) to protect the health and safety of affiliated workers; and

(B) to prevent environmental degradation.

(2) THIRD-PARTY VERIFICATION.—The standards established by regulation under paragraph (1) shall be verified through certification and classification by independent third parties that—

(A) have been preapproved by both the Secretary and the Secretary of the Department in which the Coast Guard is operating; and

(B) have no financial conflict of interest in conducting the duties of the third parties.

(3) MINIMUM SYSTEMS COVERED.—At a minimum, the regulations issued under paragraph (1) shall require the certification and classification by an independent third party who meets the requirements of paragraph (2) of—

(A) mobile offshore drilling units;

(B) fixed and floating drilling or production facilities;

(C) drilling systems, including risers and blowout preventers; and

(D) any other equipment dedicated to the safety systems relating to offshore extraction and production of oil and gas.

(4) EXCEPTIONS.—The Secretary and the Secretary of the Department in which the Coast Guard is operating may waive the standards established by regulation under paragraph (1) for an existing system only if—

(A) the system is of an age or type where meeting such requirements is impractical; and

(B) the system poses an acceptably low level of risk to the environment and to human safety.

(b) AUTHORITY OF COAST GUARD.—Nothing in this section preempts or interferes with the authority of the Coast Guard.

SEC. 111. SAVINGS PROVISIONS.

(a) EXISTING LAW.—All regulations, rules, standards, determinations, contracts and agreements, memoranda of understanding, certifications, authorizations, appointments, delegations, results and findings of investigations, or any other actions issued, made, or taken by, or pursuant to or under, the authority of any law (including regulations) that resulted in the assignment of functions or activities to the Secretary, the Director of the Minerals Management Service (including by delegation from the Secretary), or the Department (as related to the implementation of the purposes referenced in this title) that were in effect on the date of enactment of this Act shall continue in full force and effect after the date of enactment of this Act unless previously scheduled to expire or until otherwise modified or rescinded by this title or any other Act.

(b) EFFECT ON OTHER AUTHORITIES.—This title does not amend or alter the provisions of other applicable laws, unless otherwise noted.

SEC. 112. 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.

TITLE II—OIL SPILL COMPENSATION

Subtitle A—Oil Spill Liability

PART I—OIL POLLUTION ACT OF 1990

SEC. 201. LIABILITY LIMITS.

(a) PRESIDENTIAL ESTABLISHMENT OF LIMITS.—Section 1004 of the Oil Pollution Act of 1990 (33 U.S.C. 2704) is amended by adding at the end the following:

''(e) LIMITS FOR STRICT LIABILITY.—

''(1) IN GENERAL.—For the purpose of subsection (a)(3), after a 60-day period of public notice and comment beginning on the date of enactment of this subsection, and from time to time thereafter, the President shall establish a set of limits for strict liability for damages for incidents occurring from offshore facilities (other than deepwater ports) covered by Outer Continental Shelf leases issued after the date of enactment of the Oil Spill Response Improvement Act of 2010.

''(2) REQUIREMENTS.—The limits for strict liability established under paragraph (1) shall—

''(A) take into account the availability of insurance products for offshore facilities; and

''(B) be otherwise based equally on and categorized by—

''(i) the water depth of the lease;

''(ii) the minimum projected well depth of the lease;

''(iii) the proximity of the lease to oil and gas emergency response equipment and infrastructure;

''(iv) the likelihood of the offshore facility covered by the lease to encounter broken sea ice;

''(v) the record and historical number of regulatory violations of the leaseholder under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) or the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (or the absence of such a record or violations);

''(vi) the estimated hydrocarbon reserves of the lease;

''(vii) the estimated well pressure, expressed in pounds per square inch, of the reservoir associated with the lease;

''(viii) the availability and projected availability, including through borrowing authority, of funds in the Oil Spill Liability Trust Fund established by section 9509 of the Internal Revenue Code of 1986;

''(ix) other available remedies under law;

''(x) the estimated economic value of non-energy coastal resources that may be impacted by a spill of national significance involving the offshore facility covered by the lease;

''(xi) whether the offshore facility covered by the lease employs a subsea or surface blowout preventer stack; and

''(xii) the availability of industry payments under subsection (f).

''(3) PUBLIC LIABILITY INSURANCE.—In no case shall the strict liability limits under this subsection for the applicable offshore facility be less than the maximum amount of public liability insurance that is broadly available for related offshore environmental incidents.

''(f) LIABILITY OF INDUSTRY.—

''(1) IN GENERAL.—If an incident on the Outer Continental Shelf results in economic damages claims exceeding the maximum amount for strict liability for economic damages to be paid by the responsible party under subsection (a)(3), the claims in excess of the maximum amount for strict liability for economic damages under subsection (a)(3) shall be paid initially, in an amount not to exceed a total of $20,000,000,000, by all other entities operating offshore facilities on the Outer Continental Shelf on the date of the incident, as determined by the Secretary of the Interior, in accordance with paragraph (2).

''(2) PROPORTIONAL PAYMENT.—The amount of liability claims to be paid under paragraph (1) by an entity described in that paragraph shall be determined by the Secretary of the Interior based on the proportion that—

''(A) the number of offshore facilities operated by the entity on the Outer Continental Shelf; bears to

''(B) the total number of offshore facilities operated by all entities on the Outer Continental Shelf.

''(3) OIL SPILL LIABILITY TRUST FUND.—Economic damages that exceed the amounts available under subsection (a)(3) and paragraph (1) shall be paid from the Oil Spill Liability Trust Fund and amounts made available to the Fund under part II of the Oil Spill Response Improvement Act of 2010.''.

(b) CONFORMING AMENDMENTS.—

(1) LIMIT FOR OFFSHORE FACILITIES.—Section 1004(a) of the Oil Pollution Act of 1990 (33 U.S.C. 2704(a)) is amended—

(A) in paragraph (2), by striking ''.,'' and inserting a comma; and

(B) by striking paragraph (3) and inserting the following:

''(3) for an offshore facility (except a deepwater port) covered by an Outer Continental Shelf lease—

''(A) if the lease was issued prior to the date of enactment of the Oil Spill Response Improvement Act of 2010, the total of all removal costs plus $75,000,000; and

''(B) if the lease was issued on or after the date of enactment of the Oil Spill Response Improvement Act of 2010, the total of all removal costs plus the limit for strict liability for damages for that offshore facility established by the President under subsection (e); and''.

(2) EXCEPTIONS.—Section 6002(b) of the Oil Pollution Act of 1990 (33 U.S.C. 2752(b)) is amended in the first sentence by inserting ''1004(f),'' after ''sections''.

SEC. 202. ADVANCE PAYMENT.

Section 1012 of the Oil Pollution Act of 1990 (33 U.S.C. 2712) is amended by adding at the end the following:

''(1) ADVANCE PAYMENTS.—The President shall promulgate regulations that allow advance payments to be made from the Fund to States and political subdivisions of States for actions taken to prepare for and mitigate substantial threats from the discharge of oil.''.

PART II—OIL SPILL LIABILITY TRUST FUND

SEC. 211. RATE OF TAX FOR OIL SPILL LIABILITY TRUST FUND.

(a) IN GENERAL.—Section 4611 of the Internal Revenue Code of 1986 (relating to the imposition of tax) is amended—

(1) in subsection (c), by adding at the end the following new paragraph:

''(3) ADJUSTMENTS TO TEMPORARY SUSPENSION OF OIL SPILL LIABILITY TRUST FUND FINANCING RATE.—In the case of any calendar quarter in which the Secretary estimates that, as of the close of the previous quarter, the unobligated balance in the Oil Spill Liability Trust Fund is greater than $10,000,000,000, the Oil Spill Liability Trust Fund financing shall be 0 cents a barrel.''; and

(2) by striking subsection (f).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply on and after the first day of the first calendar quarter after the date of enactment of this Act.

(c) NEW REVENUES TO THE OIL SPILL LIABILITY TRUST FUND.—Notwithstanding section 3302 of title 31, United States Code, the revenue resulting from any increase in the Oil Spill Liability Trust Fund financing rate under this section or the amendments made by this section shall—

(1) be credited only as offsetting collections for the Oil Spill Liability Trust Fund;

(2) be available for expenditure only for purposes of the Oil Spill Liability Trust Fund; and

(3) remain available until expended.

SEC. 212. LIMITATIONS ON EXPENDITURES AND BORROWING AUTHORITY.

(a) LIMITATIONS ON EXPENDITURES.—Section 9509(c) of the Internal Revenue Code of 1986 (relating to expenditures from the Oil Spill Liability Trust Fund) is amended—

(1) by striking paragraph (2);

(2) by striking ''EXPENDITURES'' in the subsection heading and all that follows through ''Amounts in'' in paragraph (1) and inserting ''EXPENDITURES.—Amounts in''; and

(3) by redesignating subparagraphs (A) through (F) as paragraphs (1) through (6), respectively, and indenting appropriately.

(b) AUTHORITY TO BORROW.—Section 9509(d) of the Internal Revenue Code of 1986 (relating to authority to borrow from the Oil Spill Liability Trust Fund) is amended—

(1) in paragraph (2), by striking ''$1,000,000,000'' and inserting ''$10,000,000,000''; and

(2) in paragraph (3)—

(A) by striking subparagraph (B); and

(B) by redesignating subparagraph (C) as subparagraph (B).

Subtitle B—Federal Oil Spill Research

SEC. 221. DEFINITIONS.

In this subtitle:

(1) COMMANDANT.—The term ''Commandant'' means the Commandant of the Coast Guard.

(2) PROGRAM.—The term ''program'' means the program for oil spill response established pursuant to section 230.

SEC. 222. FEDERAL OIL SPILL RESEARCH.

(a) IN GENERAL.—Title VII of the Oil Pollution Act of 1990 is amended—

(1) by inserting before section 7001 (33 U.S.C. 2761) the following:

''SEC. 7000. DEFINITIONS.

''In this title:

''(1) ASSESSMENT.—The term 'assessment' means the research assessment on the status of the oil spill prevention and response capabilities conducted under section 7004.

''(2) COMMITTEE.—The term 'Committee' means the Interagency Committee established under section 7001.

''(3) PLAN.—The term 'plan' means the Federal oil spill research plan developed under section 7005.

''(4) PROGRAM.—The term 'program' means the Federal oil spill research program established under section 7003.'';

(2) by redesignating section 7002 (33 U.S.C. 2762) as section 7009;

(3) in section 7001 (33 U.S.C. 2761), by striking subsections (b) through (e) and inserting the following:

''(b) REGIONAL SUBCOMMITTEES.—

''(1) IN GENERAL.—The Committee shall establish—

''(A) a regional subcommittee for each of the Gulf of Mexico and Arctic regions of the United States; and

''(B) such other regional subcommittees as the Committee determines to be necessary.

''(2) COORDINATION.—In accordance with the program, each regional subcommittee established under this subsection shall coordinate with the Committee and other relevant State, national, and international bodies with expertise in the region to research and develop technologies for use in the prevention, detection, recovery, mitigation, and evaluation of effects of incidents in the regional environment.''; and

(4) by inserting after section 7001 (33 U.S.C. 2761) the following:

''SEC. 7002. FUNCTIONS OF THE COMMITTEE.

''The Committee shall—

''(1) coordinate a comprehensive Federal oil spill research and development program in accordance with section 7003 to coordinate oil pollution research, technology development, and demonstration among the Federal agencies, in cooperation and coordination with industry, institutions of higher education, research institutions, State and tribal governments, and other relevant stakeholders;

''(2) conduct a research assessment on the status of the oil spill prevention and response capabilities in accordance with section 7004; and

''(3) develop a Federal oil spill research plan in accordance with section 7005.

''SEC. 7003. FEDERAL OIL SPILL RESEARCH PROGRAM.

''(a) IN GENERAL.—The Committee shall establish a program for conducting oil pollution research, development, and demonstration.

''(b) PROGRAM ELEMENTS.—The program established under subsection (a) shall provide for research, development, and demonstration technologies, practices, and procedures that provide for effective and direct response to prevent, detect, recover, or mitigate oil discharges, including—

''(1) new technologies to detect accidental or intentional overboard oil discharges;

''(2) models and monitoring capabilities to predict the transport and fate of oil, including trajectory and behavior predictions due to location, weather patterns, hydrographic data, and water conditions, including Arctic sea ice environments;

''(3) containment and well-control capabilities, including drilling of relief wells, containment structures, and injection technologies;

''(4) response capabilities, such as improved dispersants, biological treatment methods, booms, oil skimmers, containment vessels, and offshore and onshore storage capacity;

''(5) research and training, in coordination with the National Response Team, to improve the removal of oil discharge quickly and effectively;

''(6) decision support systems for contingency planning and response;

''(7) improvement of options for oily or oiled waste dispersal;

''(8) technologies, methods, and standards for use in protecting personnel and for volunteers that may participate in incident responses, including—

''(A) training;

''(B) adequate supervision;

''(C) protective equipment;

''(D) maximum exposure limits; and

''(E) decontamination procedures; and

''(9) technologies and methods to prevent, detect, recover, and mitigate oil discharges in polar environments.

''(c) STUDY OF ENVIRONMENTAL EFFECTS OF RESPONSE TECHNIQUES.—Notwithstanding any other provision of law, the Coast Guard shall conduct reasonable environmental studies of oil discharge prevention or mitigation technologies, including the use of small quantities of oil for testing of in situ burning, chemical dispersants, and herding agents, upon and within navigable waters of the United States, if the Coast Guard, in consultation with the Committee, determines that the information to be obtained cannot be adequately obtained through a laboratory or simulated experiment.

''SEC. 7004. FEDERAL RESEARCH ASSESSMENT.

''Not later than 1 year after the date of enactment of Oil Spill Response Improvement Act of 2010, the Committee shall submit to Congress an assessment of the status of oil spill prevention and response capabilities that—

''(1) identifies research programs conducted and technologies developed by governments, institutions of higher education, and industry;

''(2) assesses the status of knowledge on oil pollution prevention, response, and mitigation technologies;

''(3) identifies regional oil pollution research needs and priorities for a coordinated program of research at the regional level developed in consultation with State, local, and tribal governments;

''(4) assesses the status of spill response equipment and determines areas in need of improvement, including quantity, age, quality, effectiveness, or necessary technological improvements;

''(5) assesses the status of real-time data available to mariners, researchers, and responders, including weather, hydrographic, and water condition data, and the impact of incomplete and inaccessible data on preventing, detecting, or mitigating oil discharges; and

''(6) is subject to a 90-day public comment period and addresses suggestions received and incorporates public input received, as appropriate.

''SEC. 7005. FEDERAL INTERAGENCY RESEARCH PLAN.

''(a) IN GENERAL.—

''(1) PLAN.—Not later than 60 days after the date on which the President submits to Congress, pursuant to section 1105 of title 31, United States Code, a budget for fiscal year 2012, and for each fiscal year thereafter, the Committee shall submit to Congress a plan that establishes the priorities for Federal oil spill research and development.

''(2) RECOMMENDATIONS.—In the development of the plan, the Committee shall consider recommendations by the National Academy of Sciences and information from State, local, and tribal governments.

''(b) PLAN REQUIREMENTS.—The plan shall—

''(1) make recommendations to improve technologies and practices to prevent oil spills;

''(2) suggest changes to the program to improve the rates of oil recovery and spill mitigation;

''(3) make recommendations to improve technologies, practices, and procedures to provide for effective and direct response to oil spills;

''(4) make recommendations to improve the quality of real-time data available to mariners, researchers, and responders; and

''(5) be subject to a 90-day public comment period and address suggestions received and incorporate public input received, as appropriate.

''SEC. 7006. EXTRAMURAL GRANTS.

''(a) IN GENERAL.—In carrying out the program, the Committee shall—

''(1) award competitive grants to institutions of higher education or other research institutions to carry out projects—

''(A) to advance research and development; and

''(B) to demonstrate technologies for preventing, detecting, or mitigating oil discharges that are relevant to the goals and priorities of the plan; and

''(2) incorporate a competitive, merit-based process for awarding grants that may be conducted jointly with other participating agencies.

''(b) REGIONAL RESEARCH PROGRAM.—

''(1) DEFINITION OF REGION.—In this subsection, the term 'region' means a Coast Guard district as described in part 3 of subchapter A of chapter I of title 33, Code of Federal Regulations (1989).

''(2) PROGRAM.—Consistent with the program, the Committee shall coordinate the provision of competitive grants to institutions of higher education or other research institutions (or groups of those institutions) for the purpose of conducting a coordinated research program relating to the aspects of oil pollution with respect to each region, including research on such matters as—

''(A) prevention;

''(B) removal mitigation; and

''(C) the effects of discharged oil on regional environments.

''(3) PUBLICATION.—

''(A) IN GENERAL.—The Committee shall coordinate the publication by the agencies represented on the Committee of a solicitation for grants under this subsection.

''(B) FORM AND CONTENT.—The application for a grant under this subsection shall be in such form and contain such information as shall be required in the published solicitation.

''(C) REVIEW OF APPLICATIONS.—Each application for a grant under this subsection shall be—

''(i) reviewed by the Committee; and

''(ii) at the option of the Committee, included among applications recommended by the Committee for approval in accordance with paragraph (5).

''(D) PROVISION OF GRANTS.—

''(i) IN GENERAL.—A granting agency represented on the Committee shall provide the grants recommended by the Committee unless the granting agency—

''(I) decides not to provide the grant due to budgetary or other compelling considerations; and

''(II) publishes in the Federal Register the reasons for such a determination.

''(ii) FUNDS FOR GRANTS.—No grants may be provided by any agency under this subsection from any funds authorized to carry out this paragraph unless the grant award has first been recommended by the Committee under subparagraph (C)(ii).

''(4) ELIGIBLE APPLICANTS.—

''(A) IN GENERAL.—Any institution of higher education or other research institution (or a group of those institutions) may apply for a grant for the regional research program established under this subsection.

''(B) LOCATION OF APPLICANT.—An applicant described in subparagraph (A) shall be located in the region, or in a State a part of which is in the region, for which the project covered by the grant application is proposed to be carried out as part of the regional research program.

''(C) GROUP APPLICATIONS.—With respect to an application described in subparagraph (A) from a group of institutions referred to in that subparagraph, the 1 or more entities that will carry out the substantial portion of the proposed project covered by the grant shall be located in the region, or in a State a part of which is in the region, for which the project is proposed as part of the regional research program.

''(5) RECOMMENDATIONS.—

''(A) IN GENERAL.—The Committee shall make recommendations on grants in such a manner as to ensure an appropriate balance within a region among the various aspects of oil pollution research, including—

''(i) prevention;

''(ii) removal;

''(iii) mitigation; and

''(iv) the effects of discharged oil on regional environments.

''(B) ADDITIONAL CRITERIA.—In addition to the requirements described in subparagraph (A), the Committee shall make recommendations for the approval of grants based on whether—

''(i) there are available to the applicant for use in carrying out this paragraph demonstrated research resources;

''(ii) the applicant demonstrates the capability of making a significant contribution to regional research needs; and

''(iii) the projects that the applicant proposes to carry out under the grant—

''(I) are consistent with the plan under section 7005; and

''(II) would further the objectives of the program established under section 7003.

''(6) TERM OF GRANTS; REVIEW; COST-SHARING.—A grant provided under this subsection shall—

''(A) be for a period of up to 3 years;

''(B) be subject to annual review by the granting agency; and

''(C) provide not more than 80 percent of the costs of the research activities carried out in connection with the grant.

''(7) PROHIBITION ON USE OF GRANT FUNDS.—No funds made available to carry out this subsection may be used for—

''(A) the acquisition of real property (including buildings); or

''(B) the construction of any building.

''(8) EFFECT ON OTHER AUTHORITY.—Nothing in this paragraph alters or abridges the authority under existing law of any Federal agency to provide grants, or enter into contracts or cooperative agreements, using funds other than those authorized in this Act for the purpose of carrying out this subsection.

''(9) FUNDING.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), for each of fiscal years 2011 through 2015, not less than $32,000,000 of amounts in the Fund shall be available to carry out the regional research program under this subsection, to be available in equal amounts for the regional research program in each region.

''(B) ADDITIONAL GRANTS.—If the agencies represented on the Committee determine that regional research needs exist that cannot be addressed by the amount of funds made available under subparagraph (A), the agencies may use authority under subsection (a) to make additional grants to meet those needs.

''SEC. 7007. ANNUAL REPORT.

''Concurrent with the submission of the Federal interagency research plan pursuant to section 7005, the Committee shall submit to Congress an annual report that describes

the activities and results of the program during the previous fiscal year and described the objectives of the program for the next fiscal year.

"SEC. 7008. FUNDING.

''(a) IN GENERAL.—Of the amounts in the Fund for each fiscal year, not more than $50,000,000 shall be available to carry out this section (other than section 7006(b)) for the fiscal year.

''(b) APPROPRIATIONS.—All activities authorized under this title, including under section 7006(b), shall be subject to the availability of appropriations.''.

SEC. 223. NATIONAL ACADEMY OF SCIENCE PARTICIPATION.

The Commandant shall enter into an arrangement with the National Academy of Sciences under which the Academy shall—

(1) not later than 1 year after the date of enactment of this Act, assess and evaluate the status of Federal oil spill research and development as of the day before the date of enactment of this Act;

(2) submit to Congress and the Federal Oil Spill Research Committee established under section 7002 of the Oil Pollution Act of 1990 a report evaluating the conclusions and recommendations from the Federal research assessment under section 7004 of that Act to be used in the development of the Federal oil spill research plan under section 7005 of that Act; and

(3) not later than 1 year after the Federal interagency research plan is submitted to Congress under section 7005 of that Act, evaluate, and report to Congress on, the plan.

SEC. 224. TECHNICAL AND CONFORMING AMENDMENTS.

(a) USE OF FUNDS.—Section 1012(a)(5)(A) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)(A)) is amended by striking ''$25,000,000'' and inserting ''$50,000,000''.

(b) TABLE OF CONTENTS.—The table of contents in section 2 of the Oil Pollution Act of 1990 (33 U.S.C. prec. 2701) is amended by striking the items relating to sections 7001 and 7002 and inserting the following:

''Sec. 7000. Definitions.
''Sec. 7001. Oil pollution research and development program.
''Sec. 7002. Functions of the Committee.
''Sec. 7003. Federal oil spill research program.
''Sec. 7004. Federal research assessment.
''Sec. 7005. Federal interagency research plan.
''Sec. 7006. Extramural grants.
''Sec. 7007. Annual report.
''Sec. 7008. Funding.
''Sec. 7009. Submerged oil program.''.

SEC. 225. OIL SPILL RESPONSE AUTHORITY.

Notwithstanding any other provision of law, the Incident Commander of the Coast Guard may authorize the use of dispersants in response to a spill of oil from—

(1) any facility or vessel located in, on, or under any of the navigable waters of the United States; and

(2) any facility of any kind that is subject to the jurisdiction of the United States and that is located in, on, or under any other waters.

SEC. 226. MARITIME CENTER OF EXPERTISE.

(a) IN GENERAL.—The Commandant shall establish a Maritime Center of Expertise for Maritime Oil Spill and Hazardous Substance Release Response.

(b) DUTIES.—The Center shall—

(1) serve as the primary Federal facility for Coast Guard personnel to obtain qualifications to perform the duties of a regional response team cochair, a Federal on-scene coordinator, or a Federal on-scene coordinator representative;

(2) train Federal, State, and local first responders in the incident command system structure, maritime oil spill and hazardous substance release response techniques and strategies, and public affairs;

(3) work with academic and private sector response training centers to develop and standardize maritime oil spill and hazardous substance release response training and techniques;

(4) conduct research, development, testing, and demonstration for maritime oil spill and hazardous substance release response equipment, technologies, and techniques to prevent or mitigate maritime oil discharges and hazardous substance releases;

(5) maintain not less than 2 incident management and assistance teams, 1of which shall be ready to deploy anywhere in the continental United States within 24 hours after an incident or event;

(6) conduct marine environmental response standardization visits with Coast Guard Federal on-scene coordinators;

(7) administer and coordinate Coast Guard participation in the National Preparedness for Response Exercise Program; and

(8) establish and maintain Coast Guard marine environmental response doctrine.

SEC. 227. NATIONAL STRIKE FORCE.

(a) IN GENERAL.—The Commandant shall maintain a National Strike Force to facilitate preparedness for and response to maritime oil spill and hazardous substance release incidents.

(b) COMPOSITION.—The National Strike Force—

(1) shall consist of—

(A) a National Strike Force Coordination Center;

(B) strike force teams, including—

(i) 1 team for the Atlantic Ocean;

(ii) 1 team for the Pacific Ocean; and

(iii) 1 team for the Gulf of Mexico; and

(C) a public information assist team; and

(2) may include, on the direction of the Commandant, 1 or more teams for the northwest Pacific Ocean and the Arctic Ocean.

(c) NATIONAL STRIKE FORCE COORDINATION CENTER DUTIES.—The National Strike Force Coordination Center shall—

(1) provide support and standardization guidance to the regional strike teams;

(2) maintain a response resource inventory of maritime oil spill and hazardous substance release response, marine salvage, and marine firefighting equipment maintained by certified oil spill response organizations as well as equipment listed in a vessel or facility oil spill response plan, as required by section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j));

(3) oversee the maintenance and adequacy of Coast Guard environmental response equipment;

(4) certify and inspect maritime oil spill response organizations; and

(5) maintain the National Area Contingency Plan library.

(d) STRIKE FORCE TEAM DUTIES.—The Strike Force Response Teams shall—

(1) provide rapid response support in incident management, site safety, contractor performance monitoring, resource documentation, response strategies, hazard assessment, oil spill dispersant, in situ burn and other technologies, prefabrication of containment technology, operational effectiveness monitoring, and high-capacity lightering and offshore skimming capabilities;

(2) train Coast Guard units in environmental pollution response and incident command systems, test and evaluate pollution response equipment, and operate as liaisons with response agencies within the areas of responsibility of the respective units;

(3) maintain sufficient maritime oil spill and hazardous substance release assets to ensure the protection of human health and the environment in the event of an oil spill or hazardous substance release, including the prefabrication of oil spill containment equipment; and

(4) maintain the capability to mobilize personnel and equipment to respond to an oil spill or hazardous substance release anywhere in the continental United States within 24 hours of such an event.

(e) PUBLIC INFORMATION ASSIST TEAM DUTIES.—The Public Information Assist Team shall maintain the capability—

(1) to provide crisis communication during oil spills, hazardous material releases, marine accidents, and other disasters, including staffing and managing public affairs and intergovernmental communication;

(2) provide public information and communications training to Federal, State, and local agencies and industry personnel; and

(3) maintain the capability to mobilize personnel and equipment to respond to an oil spill or hazardous substance release anywhere in the continental United States within 24 hours after such an event.

SEC. 228. DISTRICT PREPAREDNESS AND RESPONSE TEAMS.

The Commandant shall maintain district preparedness response teams—

(1) to maintain Coast Guard environmental response equipment;

(2) to administer area contingency plans;

(3) to administer the National Preparedness for Response Exercise Program;

(4) to conduct responder incident command system training and health and safety training;

(5) to provide Federal on-scene coordinator technical advice;

(6) to coordinate district pollution response operations;

(7) to support regional response team cochairs;

(8) to coordinate district participation with the regional interagency steering committee of the Federal Emergency Management Agency; and

(9) to conduct response public affairs and joint information center training.

SEC. 229. OIL SPILL RESPONSE ORGANIZATIONS.

(a) REQUIREMENT.—Each maritime oil spill response organization that is listed under an oil spill response plan of a vessel or facility regulated by the Coast Guard, as required by section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)) shall be—

(1) certified by the Coast Guard; and

(2) inspected at least once each year to ensure that the organization has the capabilities to meet the requirements delegated to the organization under applicable oil spill response plans.

(b) CERTIFICATION CRITERIA AND REQUIREMENTS.—Not later than 180 days after the date of enactment of this Act, the Commandant shall develop criteria and requirements for certifying and classifying maritime oil spill response organizations.

(c) INVENTORY OF MARITIME OIL SPILL RESPONSE EQUIPMENT.—Each certified maritime oil spill response organization and any facility regulated by the Coast Guard that is not using a maritime oil spill response organization to meet the facility oil spill response plan requirements of section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)) shall—

(1) maintain a current list of the maritime oil spill response equipment of the organization or facility; and

(2) submit a copy of that list to the National Strike Force Coordination Center.

(d) DECREASED CAPACITY REPORTS.—If a maritime oil spill response organization experiences a decrease in the maritime oil spill

response assets of the organization, the organization shall report the decrease to the National Strike Force Coordination Center and the Captain of the Port in which that organization operates.

SEC. 230. PROGRAM FOR OIL SPILL AND HAZARDOUS SUBSTANCE RELEASE RESPONSE.

(a) REQUIREMENT TO ESTABLISH PROGRAM.—The Commandant shall establish a program for oil spill and hazardous substance release response, within the Maritime Center of Expertise for Oil Spill Response, to conduct research, development, testing, and demonstration for oil spill and hazardous substance release response equipment, technologies, and techniques to prevent or mitigate oil discharges and hazardous substance releases.

(b) PROGRAM ELEMENTS.—The program under subsection (a) shall include—

(1) research, development, testing, and demonstration of new or improved methods (including the use of dispersants and biological treatment methods) for the containment, recovery, removal, and disposal of oil and hazardous substances;

(2) assistance for—

(A) the development of improved designs for vessel operations (including vessel operations in Arctic waters) and facilities that are regulated by the Coast Guard; and

(B) improved operational practices;

(3) research and training, in consultation with the National Response Team, to improve the ability of private industry and the Federal Government to respond to an oil discharge or a hazardous substance release;

(4) a list of oil spill and hazardous substance containment, recovery, removal, and disposal technology that is approved for use by the Commandant and is made publicly available, in such manner as is determined to be appropriate by the Commandant; and

(5) a process for the Federal Government, State and local governments, private industry, academic institutions, and nongovernmental organizations to submit systems, equipment, and technologies for testing and evaluation.

(c) GRANTS FOR OIL SPILL RESPONSE.—The Commandant shall have the authority to make grants to or enter into cooperative agreements with academic institutions to conduct research and development for oil spill response equipment, technology, and techniques.

(d) COORDINATION.—The Commandant shall carry out the program in coordination with the Interagency Coordinating Committee on Oil Pollution Research established pursuant to section 7001(a) of the Oil Pollution Act of 1990 (33 U.S.C. 2761(a)).

(e) FUNDING.—The Commandant shall use such sums as are necessary to carry out this section for fiscal years 2010 through 2015 from funds appropriated to the research, development, and testing program account of the Coast Guard for those years.

SEC. 230a. OIL AND HAZARDOUS SUBSTANCE LIABILITY.

Section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321) is amended—

(1) in subsection (c)(2)(B)—

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

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

(C) by adding at the end the following:

''(iii) immediately deploy cleanup and mitigation assets owned by the Federal Government, or provided by private individuals or entities or foreign countries, to the location of discharge.''; and

(2) in subsection (d)(2), by adding at the end the following:

''(N) Establishment of a clear, accountable chain of command throughout the jurisdictions impacted by the discharge.

''(O) Establishment of a system and procedures that ensure coordination with, and prompt response to, State and local officials.''.

Subtitle C—Oil and Gas Leasing

SEC. 231. REVENUE SHARING FROM OUTER CONTINENTAL SHELF AREAS IN CERTAIN COASTAL STATES.

Section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) is amended by adding at the end the following:

''(i) REVENUE SHARING FROM OUTER CONTINENTAL SHELF AREAS IN CERTAIN COASTAL STATES.—

''(1) DEFINITIONS.—In this subsection through subsection (j):

''(A) COASTAL POLITICAL SUBDIVISION.—The term 'coastal political subdivision' of a coastal State means a county-equivalent subdivision of a coastal State all or part of which—

''(i) lies within the coastal zone (as defined in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453)); and

''(ii) the closest point of which is not more than 300 statute miles from the geographic center of any leased tract.

''(B) COASTAL STATE.—The term 'coastal State' means a State with a coastal seaward boundary within 300 statute miles distance of the geographic center of a leased tract in an outer Continental Shelf planning area that—

''(i) as of January 1, 2000, had no oil or natural gas production; and

''(ii) is not a Gulf producing State (as defined in section 102 of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432)).

''(C) DISTANCE.—The terms 'distance' and 'distances' mean minimum great circle distance and distances, respectively.

''(D) LEASED TRACT.—The term 'leased tract' means a tract leased under this Act for the purpose of drilling for, developing, and producing oil or natural gas resources.

''(E) OUTER CONTINENTAL SHELF AREA.—The term 'outer Continental Shelf area' means—

''(i) any area withdrawn from disposition by leasing by the 'Memorandum on Withdrawal of Certain Areas of the United States Outer Continental Shelf from Leasing Disposition', from 34 Weekly Comp. Pres. Doc. 1111, dated June 12, 1998; or

''(ii) any area of the outer Continental Shelf as to which Congress has denied the use of appropriated funds or other means for preleasing, leasing, or related activities.

''(2) POST LEASING REVENUES.—If the Governor or the Legislature of a coastal State requests the Secretary to allow leasing in an outer Continental Shelf area and the Secretary allows the leasing, in addition to any bonus bids, the coastal State shall, without further appropriation or action, receive, from leasing of the area, 37.5 percent of—

''(A) any lease rental payments;

''(B) any lease royalty payments;

''(C) any royalty proceeds from a sale of royalties taken in kind by the Secretary; and

''(D) any other revenues from a bidding system under section 8.

''(3) ALLOCATION AMONG COASTAL POLITICAL SUBDIVISIONS OF STATES.—

''(A) IN GENERAL.—The Secretary shall pay 20 percent of the allocable share of each coastal State, as determined under this subsection, directly to certain coastal political subdivisions of the coastal State.

''(B) ALLOCATION.—

''(i) IN GENERAL.—For each leased tract used to calculate the allocation of a coastal State, the Secretary shall pay the coastal political subdivisions within 300 miles of the geographic center of the leased tract based on the relative distance of such coastal political subdivisions from the leased tract in accordance with this subparagraph.

''(ii) DISTANCES.—For each coastal political subdivision described in clause (i), the Secretary shall determine the distance between the point on the coastal political subdivision coastline closest to the geographic center of the leased tract and the geographic center of the tract.

''(iii) PAYMENTS.—The Secretary shall divide and allocate the qualified outer Continental Shelf revenues derived from the leased tract among coastal political subdivisions described in clause (i) in amounts that are inversely proportional to the applicable distances determined under clause (ii).

''(4) CONSERVATION ROYALTY.—After making distributions under paragraphs (1) and (2) and section 31, the Secretary shall, without further appropriation or action, distribute a conservation royalty equal to 12.5 percent of Federal royalty revenues derived from an area leased under this section from all areas leased under this section for any year, into the land and water conservation fund established under section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–5) to provide financial assistance to States under section 6 of that Act (16 U.S.C. 4601–8).

''(5) DEFICIT REDUCTION.—

''(A) IN GENERAL.—After making distributions in accordance with paragraphs (1) and (2) and in accordance with section 31, the Secretary shall, without further appropriation or action, distribute an amount equal to 50 percent of Federal royalty revenues derived from all areas leased under this section for any year, into direct Federal deficit reduction.

''(B) BUDGETARY TREATMENT.—Any amounts distributed into direct Federal deficit reduction under this paragraph shall not be included for purposes determining budget levels under section 201 of S. Con. Res. 21 (110th Congress).''.

SEC. 232. REVENUE SHARING FROM AREAS IN ALASKA ADJACENT ZONE.

Section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) (as amended by section 231) is amended by adding at the end the following:

''(j) REVENUE SHARING FROM AREAS IN ALASKA ADJACENT ZONE.—

''(1) IN GENERAL.—Except as provided in paragraph (2), effective beginning on the date that is 5 years after the date of enactment of this subsection, revenues from production that derives from an area in the Alaska Adjacent Zone shall be distributed in the same proportion and for the same uses as provided in subsection (i).

''(2) ALLOCATION AMONG REGIONAL CORPORATIONS.—

''(A) IN GENERAL.—The Secretary shall pay 33 percent of any allocable share of the State of Alaska, as determined under this section, directly to certain Regional Corporations established under section 7(a) of the Alaska Native Claims Settlement Act (43 U.S.C. 1606(a)).

''(B) ALLOCATION.—

''(i) IN GENERAL.—For each leased tract used to calculate the allocation of the State of Alaska, the Secretary shall pay the Regional Corporations, after determining those Native villages within the region of the Regional Corporation which are within 300 miles of the geographic center of the leased tract based on the relative distance of such villages from the leased tract, in accordance with this paragraph.

''(ii) DISTANCES.—For each such village, the Secretary shall determine the distance between the point in the village closest to the geographic center of the leased tract and the geographic center of the tract.

''(iii) PAYMENTS.—The Secretary shall divide and allocate the qualified outer Continental Shelf revenues derived from the leased tract among the qualifying Regional Corporations in amounts that are inversely proportional to the distances of all of the Native villages within each qualifying region.

''(iv) REVENUES.—All revenues received by each Regional Corporation shall be—

''(I) treated by the Regional Corporation as revenue subject to the distribution requirements of section 7(i)(1)(A) of the Alaska Native Claims Settlement Act (43 U.S.C. 1606(i)(1)(A)); and

''(II) divided annually by the Regional Corporation among all 12 Regional Corporations in accordance with section 7(i) of that Act.

''(v) FURTHER DISTRIBUTION.—A Regional Corporation receiving revenues under clause (iv)(II) shall further distribute 50 percent of the revenues received in accordance with section 7(j) of the Alaska Native Claims Settlement Act (43 U.S.C. 1606(j)).''.

SEC. 233. ACCELERATED REVENUE SHARING TO PROMOTE COASTAL RESILIENCY AMONG GULF PRODUCING STATES.

Section 105 of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432) is amended—

(1) by striking subsection (b) and inserting the following:

''(b) ALLOCATION AMONG GULF PRODUCING STATES FOR FISCAL YEARS 2010 AND THEREAFTER.—

''(1) IN GENERAL.—Subject to the provisions of this subsection, for fiscal year 2010 and each fiscal year thereafter, the amount made available under subsection (a)(2)(A) from a covered lease described in paragraph (2) shall be allocated to each Gulf producing State in amounts that are inversely proportional to the respective distances between the point on the coastline of each Gulf producing State that is closest to the geographic center of each historical lease site and the geographic center of the historical lease site, as determined by the Secretary.

''(2) COVERED LEASE.—A covered lease referred to in paragraph (1) means a lease entered into for—

''(A) the 2002–2007 planning area;

''(B) the 181 Area; or

''(C) the 180 South Area.

''(3) MINIMUM ALLOCATION.—The amount allocated to a Gulf producing State each fiscal year under paragraph (1) shall be at least 10 percent of the amounts available under subsection (a)(2)(A).

''(4) HISTORICAL LEASE SITES.—

''(A) IN GENERAL.—Subject to subparagraph (B), for purposes of this subsection, the historical lease sites in the 2002–2007 planning area shall include all leases entered into by the Secretary for an area in the Gulf of Mexico during the period beginning on October 1, 1982 (or an earlier date if practicable, as determined by the Secretary), and ending on December 31, 2015.

''(B) ADJUSTMENT.—Effective January 1, 2022, and every 5 years thereafter, the ending date described in subparagraph (A) shall be extended for an additional 5 calendar years.

''(5) PAYMENTS TO COASTAL POLITICAL SUBDIVISIONS.—

''(A) IN GENERAL.—The Secretary shall pay 20 percent of the allocable share of each Gulf producing State, as determined under paragraphs (1) and (3), to the coastal political subdivisions of the Gulf producing State.

''(B) ALLOCATION.—The amount paid by the Secretary to coastal political subdivisions shall be allocated to each coastal political subdivision in accordance with subparagraphs (B), (C), and (E) of section 31(b)(4) of the Outer Continental Shelf Lands Act (43 U.S.C. 1356a(b)(4)).''; and

(2) by striking subsection (f).

SEC. 234. COASTAL IMPACT ASSISTANCE PROGRAM AMENDMENTS.

Section 31(c) of the Outer Continental Shelf Lands Act (43 U.S.C. 1356a(c)) is amended by adding at the end the following:

''(5) APPLICATION REQUIREMENTS; AVAILABILITY OF FUNDING.—On approval of a State plan under this section, the Secretary shall—

''(A) immediately disburse payments allocated under this section to the State or political subdivision; and

''(B) other than requiring notification to the Secretary of the projects being carried out under the State plan, not subject a State or political subdivision to any additional requirements, including application requirements, to receive payments under this section.''.

SEC. 235. PRODUCTION OF OIL FROM CERTAIN ARCTIC OFFSHORE LEASES.

Section 5 of the Outer Continental Shelf Lands Act (43 U.S.C. 1334) is amended by adding at the end the following:

''(k) OIL TRANSPORTATION IN ARCTIC WATERS.—The Secretary shall—

''(1) require that oil produced from Federal leases in Arctic waters in the Chukchi Sea planning area, Beaufort Sea planning area, or Hope Basin planning area be transported by pipeline to the Trans-Alaska Pipeline System; and

''(2) provide for, and issue appropriate permits for, the transportation of oil from Federal leases in Arctic waters in preproduction phases (including exploration) by means other than pipeline.''.

SEC. 236. USE OF STIMULUS FUNDS TO OFFSET SPENDING.

(a) IN GENERAL.—The unobligated balance of each amount appropriated or made available under the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 115) (other than under title X of division A of that Act) is rescinded, on a pro rata basis, by an aggregate amount that equals the amounts necessary to offset any net increase in spending or foregone revenues resulting from this subtitle and the amendments made by this subtitle.

(b) REPORT.—The Director of the Office of Management and Budget shall submit to each congressional committee the amounts rescinded under subsection (a) that are within the jurisdiction of the committee.

TITLE III—GUIDANCE ON MORATORIUM ON OUTER CONTINENTAL SHELF DRILLING

SEC. 301. LIMITATION OF MORATORIUM ON CERTAIN PERMITTING AND DRILLING ACTIVITIES.

(a) IN GENERAL.—The moratorium set forth in the decision memorandum of the Secretary of the Interior entitled ''Decision memorandum regarding the suspension of certain offshore permitting and drilling activities on the Outer Continental Shelf'' and dated July 12, 2010, and any suspension of operations issued in connection with the moratorium, shall not apply to an applicant for a permit to drill if the Secretary determines that the applicant—

(1) has complied with the notice entitled ''National Notice to Lessees and Operators of Federal Oil and Gas Leases, Outer Continental Shelf (OCS)'' dated June 8, 2010 (NTL No. 2010–N05) and the notice entitled ''National Notice to Lessees and Operators of Federal Oil and Gas Leases, Outer Continental Shelf (OCS)'' dated June 18, 2010 (NTL No. 2010–N06); and

(2) has completed all required safety inspections.

(b) DETERMINATION ON PERMIT.—Not later than 30 days after the date on which the Secretary makes a determination that an applicant has complied with paragraphs (1) and (2) of subsection (a), the Secretary shall make a determination on whether to issue the permit.

(c) NO SUSPENSION OF CONSIDERATION.—No Federal entity shall suspend the active consideration of, or preparatory work for, permits required to resume or advance activities suspended in connection with the moratorium.

SEC. 302. DEEPWATER HORIZON INCIDENT.

Not later than 60 days after the date of enactment of this Act, the Secretary shall develop, and expeditiously begin implementation of, a plan to ensure that onshore oil and natural gas development on Federal land would provide full energy resource compensation for offshore oil and natural gas resources not being developed and Federal revenues not being generated for the benefit of the United States Treasury during such time as any offshore moratorium is in place in response to the incident involving the mobile offshore drilling unit *Deepwater Horizon*.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 592—DESIGNATING THE WEEK OF SEPTEMBER 13–19, 2010, AS ''POLYCYSTIC KIDNEY DISEASE AWARENESS WEEK'', AND SUPPORTING THE GOALS AND IDEALS OF POLYCYSTIC KIDNEY DISEASE AWARENESS WEEK TO RAISE AWARENESS AND UNDERSTANDING OF POLYCYSTIC KIDNEY DISEASE AND THE IMPACT THE DISEASE HAS ON PATIENTS NOW AND FOR FUTURE GENERATIONS UNTIL IT CAN BE CURED

Mr. KOHL (for himself and Mr. HATCH) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 592

Whereas polycystic kidney disease (known as ''PKD'') is one of the most prevalent life-threatening genetic diseases in the world, affecting an estimated 600,000 people in the United States, including newborn babies, children, and adults, regardless of sex, age, race, geography, income, or ethnicity;

Whereas polycystic kidney disease comes in 2 forms, autosomal dominant, which affects 1 in 500 people worldwide, and autosomal recessive, a rare form that affects 1 in 20,000 live births and frequently leads to early death;

Whereas polycystic kidney disease causes multiple cysts to form on both kidneys, leading to an increase in kidney size and weight;

Whereas the cysts caused by polycystic kidney disease can be as small as the head of a pin or as large as a grapefruit;

Whereas polycystic kidney disease is a systemic disease that damages the kidneys and the cardiovascular, endocrine, hepatic, and gastrointestinal systems;

Whereas patients with polycystic kidney disease often experience no symptoms during the early stages of the disease, and many patients do not realize they have PKD until the disease affects other organs;

Whereas the symptoms of polycystic kidney disease can include high blood pressure, chronic pain in the back, sides or abdomen, blood in the urine, urinary tract infections, heart disease, and kidney stones;

Whereas polycystic kidney disease is the leading genetic cause of kidney failure in the United States;

Whereas more than half of patients suffering from polycystic kidney disease will

reach kidney failure, requiring dialysis or a kidney transplant to survive, thus placing an extra strain on dialysis and kidney transplantation resources;

Whereas polycystic kidney disease has no treatment or cure;

Whereas polycystic kidney disease instills in patients the fear of an unknown future with a life-threatening genetic disease, and of possible genetic discrimination;

Whereas polycystic kidney disease is an example of how collaboration, technological innovation, scientific momentum, and public-private partnerships can—

(1) generate therapeutic interventions that directly benefit the people suffering from polycystic kidney disease;

(2) save billions of Federal dollars paid by Medicare, Medicaid, and other programs for dialysis, kidney transplants, immunosuppressant drugs, and related therapies; and

(3) open several thousand spots on the kidney transplant waiting list;

Whereas improvements in diagnostic technology and the expansion of scientific knowledge about polycystic kidney disease have led to—

(1) the discovery of the 3 primary genes that cause polycystic kidney disease and the 3 primary protein products of the genes; and

(2) the understanding of cell structures and signaling pathways that cause cyst growth, which has produced multiple polycystic kidney disease clinical drug trials; and

Whereas thousands of volunteers throughout the United States are dedicated to expanding essential research, fostering public awareness and understanding, educating patients and their families about polycystic kidney disease to improve treatment and care, providing appropriate moral support, and encouraging people to become organ donors: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of September 13–19, 2010, as ''Polycystic Kidney Disease Awareness Week'';

(2) supports the goals and ideals of a national week to raise public awareness and understanding of polycystic kidney disease;

(3) recognizes the need for additional research into a treatment and a cure for polycystic kidney disease; and

(4) encourages the people of the United States and interested groups to—

(A) support Polycystic Kidney Disease Awareness Week through appropriate ceremonies and activities;

(B) promote public awareness of polycystic kidney disease; and

(C) foster understanding of the impact of the disease on patients and their families.

Mr. KOHL. Mr. President, I rise today along with Senator HATCH to introduce a resolution to increase awareness of Polycystic Kidney Disease, PKD, a common and life threatening genetic illness.

Over 600,000 people have been diagnosed with PKD nationwide. There is no treatment or cure for this devastating disease. Families and friends struggle to fight PKD and provide unwavering support to their suffering loved ones.

But there is hope. The PKD Foundation has led the fight for increased research and patient education. Recent studies have led to the discovery of the genes that cause PKD as well as promising clinical drug trials for treatment. More needs to be done, however, and the government wants to help.

In order to increase public awareness of this fatal disease, I propose that September 13th through the 19th be designated as National Polycystic Kidney Disease Awareness Week. This week coincides with the annual walk for PKD which takes place every September. In Wisconsin, where over 10,000 patients are living with the disease, residents gather across the state to take part in this very special walk.

Increasing awareness will help all those affected by Polycystic Kidney Disease, and I hope my colleagues will support this important resolution.

Mr. HATCH. Mr. President, I rise today to join my colleague from Wisconsin, Senator HERB KOHL, in introducing a resolution to designate September 13–19, 2010, as National Polycystic Kidney Disease Awareness Week.

Polycystic kidney disease, also known as PKD, is a life-threatening, genetic disease which affects more than 12.5 million adults and children worldwide. PKD is of significant interest to me because many Utahns suffer from this illness. The PKD Foundation estimates that roughly 5,000 Utahns have PKD; and ESRD instances in Utah are almost three times the national average.

A kidney affected by PKD will develop cysts ranging in size from that of a pinhead to the size of a grapefruit. These fluid-filled cysts increase the size and weight of the kidney from what is normally the size of a human fist to as large as a football. This condition causes great pain and is extremely dangerous to kidney function. As PKD progresses a person may acquire other diseases and disorders such as urinary tract infections, hypertension, and kidney stones. In its most progressive stage, PKD results in kidney failure, or end-stage renal disease, ESRD, for which the only help available is dialysis or a kidney transplant.

Autosomal dominant PKD is the most common form of the disease and affects one in every 500 people. This type of PKD is commonly diagnosed in adulthood. Children born to an affected parent have a 50 percent chance of inheriting the disease themselves. In less prevalent cases, a child may be diagnosed with autosomal recessive polycystic kidney disease, ARPKD. ARPKD kills approximately 30 percent of infants diagnosed within the first month of life—and of the 70 percent who survive infancy, one-third will require a kidney transplant by the age of 10.

There is no cure for PKD. Although minimal treatments can alleviate pain, and a healthy lifestyle can delay kidney failure, currently the only way to truly stop the symptoms is by transplantation. Yet, there is hope in science, awareness, and education.

To cure PKD could mean billions of dollars in savings to Medicare and Medicaid. Greater yet, it would offer relief to the suffering endured by the millions of people living with this dreadful disease.

With improved awareness and education comes a greater ability to find a cure. That is why Senator KOHL and I have introduced this resolution every year since 2007 to designate a National Polycystic Kidney Disease Awareness Week. I encourage my colleagues to lend their support to this important measure.

SENATE RESOLUTION 593—EXPRESSING SUPPORT FOR DESIGNATION OF OCTOBER 7, 2010, AS ''JUMPSTART'S READ FOR THE RECORD DAY''

Mrs. MURRAY (for herself, Mr. ISAKSON, and Mr. BEGICH) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 593

Whereas Jumpstart, a national early education organization, is working to ensure that all children in the United States enter school prepared to succeed;

Whereas Jumpstart recruits and trains college students and community volunteers year-round to work with preschool children in low-income communities, helping the children to develop the key language and literacy skills they need to succeed in school and in life;

Whereas, since 1993, Jumpstart has engaged more than 20,000 adults in service to more than 70,000 young children in communities across the United States;

Whereas Jumpstart's Read for the Record, presented in partnership with Pearson, is a world record-breaking campaign, now in its fifth year, that harnesses the power of reading by bringing adults and children together to read the same book on the same day;

Whereas the goals of the campaign are to raise national awareness of the early literacy crisis, provide books to children in low-income households through donations and sponsorship, celebrate the commencement of Jumpstart's program year, and raise money to support Jumpstart's year-long work with preschool children;

Whereas October 7, 2010, would be an appropriate date to designate as ''Jumpstart's Read for the Record Day'' because Jumpstart aims to set the world record for the largest shared reading experience on that date; and

Whereas Jumpstart hopes to engage 2,500,000 children to read Ezra Jack Keats' ''The Snowy Day'' during this record-breaking celebration of reading, service, and fun, all in support of the preschool children of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of October 7, 2010, as ''Jumpstart's Read for the Record Day'';

(2) recognizes the fifth year of Jumpstart's Read for the Record; and

(3) encourages adults, including grandparents, parents, teachers, and college students, to join children in creating the largest shared reading experience in the world and to show their support for early literacy and Jumpstart's early education programming for young children in low-income communities.

Mrs. MURRAY. Mr. President, as many of my colleagues know, I began my career as a preschool teacher back in my home State of Washington. My experience as a preschool teacher allowed me to see just how important early education is in shaping a person's life. As we all know, research illustrates that children who begin learning at an early age are more likely to be

successful in their secondary education career—and to graduate from high school.

During my time in the classroom, I could easily distinguish those 4-year-olds who were read to at home. Their skills were more advanced because they had been introduced to sounds and words prior to beginning school. This is why I believe it is important for all of us to understand that reading to children at home fosters a sense of curiosity and a passion for learning that drives students throughout their academic careers.

This is why I rise today to commend Jumpstart, a successful, national nonprofit organization that focuses on developing the critical language and literacy skills of our young children in low-income communities.

Beginning in 1993, Jumpstart has recruited and trained thousands of students and community volunteers to deliver a research-based and results-driven curriculum to over 70,000 preschool children across our country. During the 2009–2010 school year, Jumpstart partnered with over 250 preschools across 15 States and the District of Columbia to provide early education to 13,000 preschool children. Additionally, Jumpstart promotes reading at home through Read for the Record, an event that engages adults and children in the world's largest shared reading experience.

In my home State of Washington, Jumpstart has played an important role in providing quality literacy skill development in the city of Seattle. During the 2009–2010 school year, over 150 volunteers served nearly 500 children in 9 preschools. I appreciate Jumpstart's commitment to Washington State and its continued dedication to providing essential skill development to prekindergarten children while stimulating our next generation by involving many student volunteers.

SENATE RESOLUTION 594—TO CONSTITUTE THE MAJORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED ELEVENTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN

Mr. REID submitted the following resolution; which was considered and agreed to:

S. RES. 594

Resolved, That the following shall constitute the majority party's membership on the following committees for the One Hundred Eleventh Congress, or until their successors are chosen:

COMMITTEE ON APPROPRIATIONS: Mr. Inouye (Chairman), Mr. Leahy, Mr. Harkin, Ms. Mikulski, Mr. Kohl, Mrs. Murray, Mr. Dorgan, Mrs. Feinstein, Mr. Durbin, Mr. Johnson, Ms. Landrieu, Mr. Reed, Mr. Lautenberg, Mr. Nelson (Nebraska), Mr. Pryor, Mr. Tester, Mr. Specter, Mr. Brown (Ohio).

COMMITTEE ON ARMED SERVICES: Mr. Levin (Chairman), Mr. Lieberman, Mr. Reed, Mr. Akaka, Mr. Nelson (Florida), Mr. Nelson (Nebraska), Mr. Bayh, Mr. Webb, Mrs. McCaskill, Mr. Udall (Colorado), Mrs. Hagan, Mr. Begich, Mr. Burris, Mr. Bingaman, Mr. Kaufman, Mr. Goodwin.

COMMITTEE ON THE BUDGET: Mr. Conrad (Chairman), Mrs. Murray, Mr. Wyden, Mr. Feingold, Mr. Nelson (Florida), Ms. Stabenow, Mr. Cardin, Mr. Sanders, Mr. Whitehouse, Mr. Warner, Mr. Merkley, Mr. Begich, Mr. Goodwin.

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS: Mr. Harkin (Chairman), Mr. Dodd, Ms. Mikulski, Mr. Bingaman, Mrs. Murray, Mr. Reed, Mr. Sanders, Mr. Casey, Mrs. Hagan, Mr. Merkley, Mr. Franken, Mr. Bennet, Mr. Goodwin.

COMMITTEE ON RULES AND ADMINISTRATION: Mr. Schumer (Chairman), Mr. Inouye, Mr. Dodd, Mrs. Feinstein, Mr. Durbin, Mr. Nelson (Nebraska), Mrs. Murray, Mr. Pryor, Mr. Udall (New Mexico), Mr. Warner, Mr. Goodwin.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4508. Mr. BOND submitted an amendment intended to be proposed to amendment SA 4499 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table.

SA 4509. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4510. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4511. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 4500 proposed by Mr. REID (for Mr. LEMIEUX (for himself, Ms. LANDRIEU, Mr. MERKLEY, Mrs. BOXER, Ms. CANTWELL, Ms. KLOBUCHAR, and Mrs. MURRAY)) to the amendment SA 4499 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4512. Mr. ROBERTS submitted an amendment intended to be proposed to amendment SA 4500 proposed by Mr. REID (for Mr. LEMIEUX (for himself, Ms. LANDRIEU, Mr. MERKLEY, Mrs. BOXER, Ms. CANTWELL, Ms. KLOBUCHAR, and Mrs. MURRAY)) to the amendment SA 4499 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4513. Mr. JOHANNS submitted an amendment intended to be proposed to amendment SA 4500 proposed by Mr. REID (for Mr. LEMIEUX (for himself, Ms. LANDRIEU, Mr. MERKLEY, Mrs. BOXER, Ms. CANTWELL, Ms. KLOBUCHAR, and Mrs. MURRAY)) to the amendment SA 4499 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 5297, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4508. Mr. BOND submitted an amendment intended to be proposed to amendment SA 4499 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

On page 40, after line 25, add the following:

SEC. 1137. HUBZONES.

(a) DEFINITIONS.—In this section—

(1) the terms ''HUBZone'' and ''HUBZone small business concern'' and ''HUBZone map'' have the meanings given those terms in section 3(p) of the Small Business Act (15 U.S.C. 632(p)), as amended by this Act; and

(2) the term ''recertification'' means a determination by the Administrator that a business concern that was previously determined to be a qualified HUBZone small business concern is a qualified HUBZone small business concern under section 3(p)(5) of the Small Business Act (15 U.S.C. 632(p)(5)).

(b) PURPOSE; FINDINGS.—

(1) PURPOSE.—The purpose of this section is to reform and improve the HUBZone program of the Administration.

(2) FINDINGS.—Congress finds that—

(A) the HUBZone program was established under the HUBZone Act of 1997 (Public Law 105–135; 111 Stat. 2627) to stimulate economic development through increased employment and capital investment by providing Federal contracting preferences to small business concerns in those areas, including inner cities and rural counties, that have low household incomes, high unemployment, and suffered from a lack of investment; and

(B) according to the Government Accountability Office, the weakness in the oversight of the HUBZone program by the Administration has exposed the Government to fraud and abuse.

(c) HUBZONE IMPROVEMENTS.—The Administrator shall—

(1) ensure the HUBZone map—

(A) is accurate and up-to date; and

(B) revised as new data is made available to maintain the accuracy and currency of the HUBZone map;

(2) implement policies for ensuring that only HUBZone small business concerns determined to be qualified under section 3(p)(5) of the Small Business Act (15 U.S.C. 632(p)(5)) are participating in the HUBZone program, including through the appropriate use of technology to control costs and maximize, among other benefits, uniformity, completeness, simplicity, and efficiency;

(3) submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding any application to be designated as a HUBZone small business concern or for recertification for which the Administrator has not made a determination as of the date that is 60 days after the date on which the application was submitted or initiated, which shall include a plan and timetable for ensuring the timely processing of the applications; and

(4) develop measures and implement plans to assess the effectiveness of the HUBZone program that—

(A) require the identification of a baseline point in time to allow the assessment of economic development under the HUBZone program, including creating additional jobs; and

(B) take into account—

(i) the economic characteristics of the HUBZone; and

(ii) contracts being counted under multiple socioeconomic subcategories.

(d) EMPLOYMENT PERCENTAGE.—Section 3(p) of the Small Business Act (15 U.S.C. 632(p)) is amended—

(1) in paragraph (5), by adding at the end the following:

''(E) EMPLOYMENT PERCENTAGE DURING INTERIM PERIOD.—

''(i) DEFINITION.—In this subparagraph, the term 'interim period' means the period beginning on the date on which the Administrator determines that a HUBZone small business concern is qualified under subparagraph (A) and ending on the day before the date on which a contract under the HUBZone program for which the HUBZone small business concern submits a bid is awarded.

''(ii) INTERIM PERIOD.—During the interim period, the Administrator may not determine that a HUBZone small business is not qualified under subparagraph (A) based on a failure to meet the applicable employment percentage under subparagraph (A)(i)(I), unless the HUBZone small business concern—

''(I) has not attempted to maintain the applicable employment percentage under subparagraph (A)(i)(I); or

''(II) does not meet the applicable employment percentage—

''(aa) on the date on which the HUBZone small business concern submits a bid for a contract under the HUBZone program; or

''(bb) on the date on which the HUBZone small business concern is awarded a contract under the HUBZone program.''; and

(2) by adding at the end the following:

''(8) HUBZONE PROGRAM.—The term 'HUBZone program' means the program established under section 31.

''(9) HUBZONE MAP.—The term 'HUBZone map' means the map used by the Administration to identify HUBZones.''.

(e) REDESIGNATED AREAS.—Section 3(p)(4)(C)(i) of the Small Business Act (15 U.S.C. 632(p)(4)(C)(i)) is amended to read as follows:

''(i) 3 years after the first date on which the Administrator publishes a HUBZone map that is based on the results from the 2010 decennial census; or''.

SA 4509. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REDUCTION IN SOCIAL SECURITY PAYROLL TAXES.

(a) IN GENERAL.—

(1) EMPLOYER TAXES.—The table in section 3101(a) of the Internal Revenue Code of 1986 is amended to read as follows:

''In the case of wages received during:	The rate shall be:
2010 and 2011	3.1 percent
2012 or thereafter	6.2 percent''.

(2) SELF-EMPLOYMENT TAXES.—

(A) IN GENERAL.—The table in section 1401(a) of such Code is amended to read as follows:

''In the case of a taxable year beginning after:	And before:	Percent
December 31, 2009	January 1, 2012.	9.3
December 31, 2011	.....	12.40''.

(B) CONFORMING AMENDMENTS.—

(i) Section 164(f) of such Code is amended adding at the end the following new paragraph:

''(3) SPECIAL RULE FOR 2010 AND 2011.—In the case of taxable years beginning after December 31, 2009, and before January 1, 2012, the deduction allowed under paragraph (1) with respect to taxes imposed by section 1401(a) shall equal to two-thirds of the taxes so paid.''.

(ii) Section 1402(a)(12)(B) of such Code is amended by inserting ''(in the case of taxable years beginning after December 31, 2009, and before January 1, 2012, two-thirds of the taxes of the rate imposed by section 1401(a) and one-half of the rate imposed by section 1401(b))'' after ''year''.

(b) FUNDING FROM GENERAL FUND.—There are hereby appropriated to the Federal Old-Age and Survivors Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) amounts equal to the reduction in revenues to the Treasury by reason of the amendments made by paragraphs (1) and (2)(A) of subsection (a) . Amounts appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to replicate to the extent possible the transfers which would have occurred to such Trust Fund had such amendments not been enacted.

(c) USE OF STIMULUS FUNDS TO OFFSET LOSS IN REVENUES.—The unobligated balance of each amount appropriated or made available under the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) (other than under title X of division A of such Act) is rescinded pro rata such that the aggregate amount of such rescissions equals the reduction in revenues to the Treasury by reason of the amendments made by paragraphs (1) and (2)(A) of subsection (a). The Director of the Office of Management and Budget shall report to each congressional committee the amounts so rescinded within the jurisdiction of such committee.

SA 4510. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PERMANENT EXTENSION OF RESEARCH CREDIT.

(a) IN GENERAL.—Section 41 of the Internal Revenue Code of 1986 is amended by striking subsection (h).

(b) CONFORMING AMENDMENT.—Paragraph (1) of section 45C(b) of the Internal Revenue Code of 1986 is amended by striking subparagraph (D).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2009.

(d) USE OF STIMULUS FUNDS TO OFFSET LOSS IN REVENUES.—The unobligated balance of each amount appropriated or made available under the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) (other than under title X of division A of such Act) is rescinded pro rata such that the aggregate amount of such rescissions equals the reduction in revenues to the Treasury by reason of the amendments made by this section. The Director of the Office of Management and Budget shall report to each congressional committee the amounts so rescinded within the jurisdiction of such committee.

SA 4511. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 4500 proposed by Mr. REID (for Mr. LEMIEUX (for himself, Ms. LANDRIEU, Mr. MERKLEY, Mrs. BOXER, Ms. CANTWELL, Ms. KLOBUCHAR, and Mrs. MURRAY)) to the amendment SA 4499 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II, insert the following:

PART V—OTHER PROVISIONS

SEC. _____. RESEARCH CREDIT.

(a) IN GENERAL.—Subparagraph (B) of section 41(h)(1) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) CONFORMING AMENDMENT.—Subparagraph (D) of section 45C(b)(1) of such Code is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after December 31, 2009.

SA 4512. Mr. ROBERTS submitted an amendment intended to be proposed to amendment SA 4500 proposed by Mr. REID (for Mr. LEMIEUX (for himself, Ms. LANDRIEU, Mr. MERKLEY, Mrs. BOXER, Ms. CANTWELL, Ms. KLOBUCHAR, and Mrs. MURRAY)) to the amendment SA 4499 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

PART __—MISCELLANEOUS

SEC. _____. SENSE OF THE SENATE REGARDING THE RECESS APPOINTMENT OF DR. DONALD BERWICK.

(a) FINDINGS.—The Senate makes the following findings:

(1) On April 19, 2010, the President nominated Dr. Donald Berwick to serve as the Administrator of the Centers for Medicare & Medicaid Services (in this section referred to as ''CMS'') in the Department of Health and Human Services. As of that date, the position was vacant for the first 16 months of the Obama Administration.

(2) Since that date, Dr. Berwick has been undergoing the bipartisan nomination investigation review process of the Committee on Finance of the Senate (in this section referred to as the ''Senate Finance Committee'') and there has been ongoing activity as the Senate Finance Committee continues

to gather and review information from Dr. Berwick.

(3) The Senate Finance Committee review process for the Berwick nomination was proceeding normally. A hearing on the nomination of Dr. Berwick had been requested and no objections had been raised to having the hearing.

(4) On July 7, 2010, less than 3 months after the nomination and without a Senate Finance Committee hearing taking place, the President recess-appointed Dr. Berwick to serve as the Administrator of CMS. Dr. Berwick was sworn in on July 12, 2010.

(5) The appointment of the Administrator of CMS is subject to Senate confirmation under article II, section 2, clause 2 of the Constitution. Dr. Berwick's nomination was referred to the Senate Finance Committee which has jurisdiction over health programs under the Social Security Act and the responsibility to examine Presidential nominees related to these programs.

(6) It is especially true that Dr. Berwick's nomination should have undergone the Senate Finance Committee nomination review process in light of the significant responsibilities of the Administrator of CMS.

(7) CMS is responsible for the health care of more than 100,000,000 Americans, and is one of the largest agencies in the Federal Government.

(8) The recently enacted Patient Protection and Affordable Care Act (commonly referred to as the ''health care reform law'') significantly increases the responsibilities of CMS, including half a trillion dollars in Medicare provider cuts and the largest expansion of the Medicaid program since its inception.

(9) The manner in which an individual nominated to serve as the Administrator of CMS intends to carry out these responsibilities is a serious matter and warrants a thorough review. A thorough review is especially needed for Dr. Berwick's appointment in light of statements he has made in the past about health care rationing as well as the role of government in health care.

(10) By recess-appointing Dr. Berwick, the President has attempted to short circuit the requirement of article II, section 2, clause 2 of the Constitution that he appoint officers of the United States ''by and with the Advice and Consent of the Senate''.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the recess appointment of Dr. Donald Berwick, while consideration of his nomination to serve as Administrator of CMS was proceeding normally through the Senate Finance Committee nomination review process, constitutes an abuse of power by the President; and

(2) notwithstanding his recess appointment to that position, Dr. Donald Berwick should appear before the Senate Finance Committee and respond to questions by members about his qualifications to serve as Administrator of CMS.

SA 4513. Mr. JOHANNS submitted an amendment intended to be proposed to amendment SA 4500 proposed by Mr. REID (for Mr. LEMIEUX (for himself, Ms. LANDRIEU, Mr. MERKLEY, Mrs. BOXER, Ms. CANTWELL, Ms. KLOBUCHAR, and Mrs. MURRAY)) to the amendment SA 4499 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

PART IV—ADDITIONAL PROVISIONS

SEC. _____. REPEAL OF EXPANSION OF INFORMATION REPORTING REQUIREMENTS.

Section 9006 of the Patient Protection and Affordable Care Act, and the amendments made thereby, are hereby repealed; and the Internal Revenue Code of 1986 shall be applied as if such section, and amendments, had never been enacted.

SEC. _____. EXPANSION OF AFFORDABILITY EXCEPTION TO INDIVIDUAL MANDATE.

Section 5000A(e)(1)(A) of the Internal Revenue Code of 1986 is amended by striking ''8 percent'' and inserting ''5 percent''.

SEC. _____. USE OF PREVENTION AND PUBLIC HEALTH FUND.

(a) USE OF FUNDS AS OFFSET THROUGH FISCAL YEAR 2017.—Section 4002(b) of the Patient Protection and Affordable Care Act is amended by striking ''appropriated—'' and all that follows and inserting ''appropriated, for fiscal year 2018, and each fiscal year thereafter, $2,000,000,000''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the enactment of section 4002 of the Patient Protection and Affordable Care Act.

SEC. _____. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

The percentage under paragraph (2) of section 561 of the Hiring Incentives to Restore Employment Act in effect on the date of the enactment of this Act is increased by 4.25 percentage points.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. HARKIN. 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 July 22, 2010, in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 22, 2010, at 11 a.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 22, 2010, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. 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 ''Workplace Safety and Worker Protections at BP'' on July 22, 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 INDIAN AFFAIRS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on July 22, 2010, at 10:30 a.m. in room 628 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

AD HOC SUBCOMMITTEE ON STATE, LOCAL, AND PRIVATE SECTOR PREPAREDNESS AND INTEGRATION

Mr. HARKIN. 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 July 22, 2010, at 10 a.m. to conduct a hearing entitled, ''A Review of Disaster Medical Preparedness: Improving Coordination and Collaboration in the Delivery of Medical Assistance during Disasters.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY

Mr. HARKIN. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air and Nuclear Safety of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 22, 2010, at 9:15 a.m. in room 406 of the Dirksen Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on July 22, 2010, at 2:30 p.m. to conduct a hearing entitled, ''The Gulf of Mexico Oil Spill: Ensuring a Financially Responsible Recovery Part II.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Katie Meehan, Johanna Lucas, Abby Richardson, Kevin O'Brien, and Stephanie Rapp of my staff be granted floor privileges for the rest of today's session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NATIONAL SEPTEMBER 11 MEMORIAL & MUSEUM COMMEMORATIVE MEDAL ACT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4684, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 4684) to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center.

There being no objection, the Senate proceeded to consider the bill.

Mr. DURBIN. Mr. President, I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 4684) was ordered to a third reading, was read the third time, and passed.

NATIONAL MUSEUM OF AMERICAN JEWISH HISTORY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of S. Res. 546, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 546) recognizing the National Museum of American Jewish History, an affiliate of the Smithsonian Institution, as the only museum in the United States dedicated exclusively to exploring and preserving the American Jewish experience.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table en bloc, and that any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 546) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 546

Whereas the National Museum of American Jewish History serves to illustrate how the freedom present in the United States and its associated choices, challenges, and responsibilities fostered an environment in which Jewish Americans have made and continue to make extraordinary contributions in all facets of American life;

Whereas the mission of the National Museum of American Jewish History, an affiliate of the Smithsonian Institution, is to connect Jewish people more closely to their heritage and to inspire in individuals of all backgrounds a greater appreciation for the diversity of the American experience and the freedoms to which all Americans aspire;

Whereas the National Museum of American Jewish History was founded in 1976 by members of the historic Congregation Mikveh Israel, which was itself established in 1740 and known as the ''Synagogue of the American Revolution'';

Whereas the National Museum of American Jewish History has attracted a broad audience to its public programs, which explore American Jewish identity through lectures, panel discussions, authors' talks, films, activities for children, theater, and music;

Whereas the National Museum of American Jewish History is the repository of the largest collection of Jewish Americana in the world, with more than 25,000 objects; and

Whereas the National Museum of American Jewish History will soon be relocated to a 100,000-square-foot, 5-story, state-of-the-art facility on Independence Mall in Philadelphia, Pennsylvania, standing just steps from the Liberty Bell and Independence Hall, which shall serve as a cornerstone of the American Jewish community and a source of national pride: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges the importance of the continuing study and preservation of the unique American Jewish experience; and

(2) recognizes the National Museum of American Jewish History, an affiliate of the Smithsonian Institution, as the only museum in the United States dedicated exclusively to exploring and preserving the American Jewish experience and, as such, designates it as the national museum of American Jewish history.

NATIONAL CONVENIENT CARE CLINIC WEEK

Mr. DURBIN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 585, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 585) designating the week of August 2 through August 8, 2010, as ''National Convenient Care Clinic Week,'' and supporting the goals and ideals of raising awareness of the need for accessible and cost-effective health care options to complement the traditional health care model.

There being no objection, the Senate proceeded to consider the resolution.

Mr. INOUYE. Mr. President, today I rise to recognize all of the providers who work in retail-based convenient care clinics in a resolution to designate August 2 through August 8, 2010, as National Convenient Care Clinic Week. National Convenient Care Clinic Week will provide a national platform from which to promote the pivotal services offered by the more than 1,100 retail-based convenient care clinics in the United States.

Today, thousands of nurse practitioners, physician assistants, and physicians provide care in convenient care clinics. At a time when Americans are more and more challenged by the inaccessibility and high costs of health care, convenient care offers a vital, high-quality primary care alternative.

A resolution will help pave the way for this effort. I ask my colleagues to join me in supporting this tribute to convenient care clinics.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 585) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 585

Whereas convenient care clinics are health care facilities located in high-traffic retail outlets that provide affordable and accessible care to patients who might otherwise be delayed or unable to schedule an appointment with a traditional primary care provider;

Whereas millions of people in the United States do not have a primary care provider, and there is a worsening primary care shortage that will prevent many people from obtaining one in the future;

Whereas convenient care clinics have provided an accessible alternative for more than 15,000,000 people in the United States since the first clinic opened in 2000, continue to expand rapidly, and as of June 2010 consist of approximately 1,100 clinics in 35 States;

Whereas convenient care clinics follow rigid industry-wide quality of care and safety standards;

Whereas convenient care clinics are staffed by highly qualified health care providers, including advanced practice nurses, physician assistants, and physicians;

Whereas convenient care clinicians all have advanced education in providing quality health care for common episodic ailments including cold and flu, skin irritation, and muscle strains or sprains, and can also provide immunizations, physicals, and preventive health screening;

Whereas convenient care clinics are proven to be a cost-effective alternative to similar treatment obtained in physician offices, urgent care, or emergency departments; and

Whereas convenient care clinics complement traditional medical service providers by providing extended weekday and weekend hours without the need for an appointment, short wait times, and visits that generally last only 15 to 20 minutes: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of August 2 through August 8, 2010, as ''National Convenient Care Clinic Week'';

(2) supports the goals and ideals of National Convenient Care Clinic Week to raise awareness of the need for accessible and cost-effective health care options to complement the traditional health care model;

(3) recognizes the obstacles many people in the United States face in accessing the traditional medical home model of health care;

(4) encourages the use of convenient care clinics as a complementary alternative to the medical home model of health care; and

(5) calls on the States to support the establishment of convenient care clinics so that more people in the United States will have access to the cost-effective and necessary emergent and preventive services provided in the clinics.

MONTFORD POINT MARINES DAY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to S. Res. 587.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 587) designating August 26, 2010, as ''Montford Point Marines Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 587) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 587

Whereas, on June 25, 1941, President Franklin D. Roosevelt issued Executive Order 8802, which established the fair employment practices that began to erase discrimination in the Armed Forces;

Whereas in 1942, President Franklin D. Roosevelt issued a Presidential Directive that integrated the United States Marine Corps;

Whereas approximately 20,000 African-American Marines received basic training at Montford Point in the State of North Carolina between 1942 and 1949;

Whereas the African-American Marines trained at Montford Point became known as the Montford Point Marines;

Whereas the African-American volunteers who enlisted in the United States Marine Corps during World War II—

(1) joined the United States Marine Corps to demonstrate their commitment to the United States, despite the practice of segregation;

(2) served the United States in a most honorable fashion;

(3) defied unwarranted stereotypes; and

(4) achieved distinction through brave and honorable service;

Whereas, during World War II, African-American Marine Corps units fought and served in the Pacific theatre, participating in the liberation of the Ellice Islands, the Eniwetok Atoll, the Marshall Islands, the Kwajalein Atoll, Iwo Jima, Peleliu, the Marianas Islands, Saipan, Tinian, Guam, and Okinawa;

Whereas Robert Sherrod, a correspondent for Time magazine in the central Pacific during World War II, wrote that the African-American Marines that entered combat for the first time in Saipan were worthy of a 4.0 combat performance rating, the highest performance rating given by the Navy;

Whereas the heroism, commitment, and valor demonstrated by the Montford Point Marines—

(1) changed the negative attitudes of the military leadership toward African-Americans; and

(2) inspired the untiring service of future generations of African-Americans in the United States Marine Corps;

Whereas in July 1948, President Harry S. Truman issued Executive Order 9981, which ended segregation in the military;

Whereas in September 1949, the Montford Marine Camp was deactivated, ending 7 years of segregation in the Marine Corps;

Whereas in September 1965, over 400 former and active duty Marines met in Philadelphia, Pennsylvania at a reunion to honor the Montford Point Marines, leading to the establishment of the Montford Point Marine Association;

Whereas 2010 marks the 45th anniversary of the establishment of the Montford Point Marine Association; and

Whereas the sacrifices, dedication to country, and perseverance of the African-American Marines trained at Montford Point Camp are duly honored and should never be forgotten: Now, therefore be it

Resolved, That the Senate—

(1) designates August 26, 2010, as ''Montford Point Marines Day'';

(2) honors the 68th anniversary of the first day African-American recruits began training at Montford Point;

(3) recognizes the work of the members of the Montford Point Marine Association—

(A) in honoring the legacy and history of the United States Marine Corps; and

(B) in ensuring that the sense of duty shared by the Montford Point Marines is passed along to future generations;

(4) recognizes that—

(A) the example set by the Montford Point Marines who served during World War II helped to shape the United States Marine Corps; and

(B) the United States Marine Corps provides an excellent opportunity for the advancement for persons of all races; and

(5) expresses the gratitude of the Senate to the Montford Point Marines for fighting for the freedom of the United States and the liberation of people of the Pacific, despite the practices of segregation and discrimination.

MEASURE READ THE FIRST TIME—S. 3643

Mr. DURBIN. Mr. President, I understand S. 3643, introduced earlier today by Senator MCCONNELL, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The assistant legislative clerk read as follows:

A bill (S. 3643) to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, to improve oil spill compensation, to terminate the moratorium on deepwater drilling, and for other purposes.

Mr. DURBIN. Mr. President, I now ask for its second reading, and I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

MAKING COMMITTEE ASSIGNMENTS

Mr. DURBIN. Mr. President, there is a resolution at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report the title of the resolution.

The legislative clerk read as follows:

A resolution (S. Res. 594) to constitute the majority party's membership on certain committees for the One Hundred Eleventh Congress, or until their successors are chosen.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 594) was agreed to, as follows:

S. RES. 594

Resolved, That the following shall constitute the majority party's membership on the following committees for the One Hundred Eleventh Congress, or until their successors are chosen:

COMMITTEE ON APPROPRIATIONS: Mr. Inouye (Chairman), Mr. Leahy, Mr. Harkin, Ms. Mikulski, Mr. Kohl, Mrs. Murray, Mr. Dorgan, Mrs. Feinstein, Mr. Durbin, Mr. Johnson, Ms. Landrieu, Mr. Reed, Mr. Lautenberg, Mr. Nelson (Nebraska), Mr. Pryor, Mr. Tester, Mr. Specter, Mr. Brown (Ohio).

COMMITTEE ON ARMED SERVICES: Mr. Levin (Chairman), Mr. Lieberman, Mr. Reed, Mr. Akaka, Mr. Nelson (Florida), Mr. Nelson (Nebraska), Mr. Bayh, Mr. Webb, Mrs. McCaskill, Mr. Udall (Colorado), Mrs. Hagan, Mr. Begich, Mr. Burris, Mr. Bingaman, Mr. Kaufman, Mr. Goodwin.

COMMITTEE ON THE BUDGET: Mr. Conrad (Chairman), Mrs. Murray, Mr. Wyden, Mr. Feingold, Mr. Nelson (Florida), Ms. Stabenow, Mr. Cardin, Mr. Sanders, Mr. Whitehouse, Mr. Warner, Mr. Merkley, Mr. Begich, Mr. Goodwin.

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS: Mr. Harkin (Chairman), Mr. Dodd, Ms. Mikulski, Mr. Bingaman, Mrs. Murray, Mr. Reed, Mr. Sanders, Mr. Casey, Mrs. Hagan, Mr. Merkley, Mr. Franken, Mr. Bennet, Mr. Goodwin.

COMMITTEE ON RULES AND ADMINISTRATION: Mr. Schumer (Chairman), Mr. Inouye, Mr. Dodd, Mrs. Feinstein, Mr. Durbin, Mr. Nelson (Nebraska), Mrs. Murray, Mr. Pryor, Mr. Udall (New Mexico), Mr. Warner, Mr. Goodwin.

ORDERS FOR MONDAY, JULY 26, 2010

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m. on Monday, July 26; 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 following any leader remarks the Senate resume consideration of the motion to proceed to S. 3628, the DISCLOSE Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DURBIN. Mr. President, there will be no rollcall votes during Monday's session of the Senate. The next vote will occur at 2:45 p.m. on Tuesday, July 27. That vote will be on the motion to invoke cloture on the motion to proceed to the DISCLOSE Act.

ADJOURNMENT UNTIL MONDAY, JULY 26, 2010, AT 3 P.M.

Mr. DURBIN. If there is no further business to come before the Senate, I ask unanimous consent the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 11:05 p.m., adjourned until Monday, July 26, 2010, at 3 p.m.

EXTENSIONS OF REMARKS

HONORING ILLINOIS STATE VETERANS OF FOREIGN WARS COMMANDER WILLIAM M. WOLFF

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. ROSKAM. Madam Speaker, I am pleased to rise today in recognition of the long and noble service of Illinois State Veterans of Foreign Wars Commander William M. Wolff. Commander Wolff began his loyal service to our country as a tank driver in the U.S. Army in Vietnam with the First Squadron, Fourth Armored Calvary/First Infantry Division.

Commander Wolff was awarded several medals including the Purple Heart. He became a Charter Member of the Bloomingdale, Illinois VFW Post 7539 in 1991, and would earn the status of All-American Post Commander and All-State Post Commander.

To this day, Commander Wolff is extremely active in the community. He currently serves as the Chairperson for the Bloomingdale Septemberfest Commission, and he is a member of the Illinois Fire Chiefs Association, the West Suburban Fire Fighters Association, Vietnam Veterans of America, and the Lions Club.

Madam Speaker and Distinguished Colleagues, please join me in honoring his extraordinary commitment to our nation, and recognizing his celebration that will take place on August 14th.

HONORING THE LATE SENATOR PAUL DOUGLAS COVERDELL

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. KINGSTON. Madam Speaker, I rise today to honor the memory of the Late Senator from Georgia, Paul D. Coverdell, who died 10 years ago last Sunday.

I considered Paul a dear friend and continue to hold his wife Nancy, who is a constituent of mine, in high regard.

One thing about Paul is that one may have agreed or disagreed with him but one always respected his energy level, his knowledge of the issue, and the way he was so focused on attacking problems.

I first learned about Paul Coverdell in 1974 when my mother sent me a clipping from the Atlanta Journal & Constitution titled ''The Gospel According to Paul.'' In it, I read of a young guy running an unconventional campaign for the State Senate in Atlanta. Rather than just working the good old boys barbecue circuit and going to the back-room power brokers, Paul went directly to the voters. He stood on the side of the road waving signs and knocking on doors. He went directly to the unnamed and untitled citizens to say, ''I am Paul Coverdell. I would like to be Georgia's next senator. Here is where I stand. Do you have any questions?''

Over the next several decades, Paul's hard work brought him through the ranks. He eventually became one of the most well-connected and influential members of the United States Senate but he never forgot the common man for whom he came to Washington to fight.

Throughout his career, Paul's energy left all who met him in awe.

When Paul was first elected to the Georgia State Senate, he was one of just three Republicans in the body. When I joined the General Assembly just over a decade later, there were only nine. Paul quickly rose through the ranks and became the Senate Republican Leader. Despite the numerical odds against him, Paul refused to be shut out of the arena of ideas.

At that time, Governor Joe Frank Harris introduced a number of bills dealing with DUI laws. The conventional wisdom was that each time you increased the penalty, the number of offenders would go down but Paul bucked the conventional wisdom.

Knowing that a lot of the offenders were addicted to alcohol, Paul introduced and got passed legislation that created a component of mandatory assessment to see if they were addicted. If so, Paul's bill provided a requirement that they seek treatment.

As the eleventh Director of the Peace Corps, Paul promoted farming in Third World countries, economic growth and development, and medical help. Indeed, he saw the formula for world prosperity meant world peace and it was great and important for the United States of America to be leading the way. As Director, Paul sent the first Peace Corps volunteers to Eastern Europe after the fall of the Berlin Wall.

Paul went into the most difficult and remote places and countries and said, ''How can we help with health care? Are there better farming techniques out there? Is there a way to get cleaner water? What can we do for the children?''

Paul also knew the value of bringing the world to America. That's why he created the ''World Wise Schools'' program which connected classrooms in the United States with Peace Corps volunteers around the world. During his tenure as Director, 5,000 classrooms nationwide benefitted from the program.

I remember hosting a coffee in my living room for Paul during his campaign for United States Senate. In the middle of a detailed discussion, my daughter Ann who was four years old at the time came running into the living room and crashed through the circle of adults listening to a very dignified U.S. senatorial candidate. She had been playing out in the backyard with all the other children, and she said, ''Mom and Dad, I feel of the slide, and I hurt my heinie and all the other kids are laughing at me.''

The room full of grown-ups fell silent; and all eyes went to the little girl who was at the foot of this soon-to-be U.S. Senator, a very dignified and somewhat sophisticated man and a tad old-fashioned in his mannerisms, and he looked down at her and smiled. It said it all. Everything was fine, and the little girl got herself back together and ran back out to the yard with the rest of the kids.

Madam Speaker, that was the grace and charm of Paul Coverdell. Here is a man with a world view but who could look at a 4-year-old girl and say, ''everything is okay.'' That is what made Paul Coverdell special. It was the ''Coverdell Dignity'' and Paul carried that dignity and that gentlemanly manner with him everywhere he went.

As a United States Senator, Paul fought tirelessly for Georgia's veterans and for our military bases especially Fort Stewart in my district. He was also an amazing advocate for agriculture—the backbone of Georgia's economy. In my South Georgia district, many farmers referred to him lovingly as ''Senator Cloverdale.''

Madam Speaker, Paul Coverdell had the uncanny ability to not just have an opinion on every issue but to have a thought, an idea and a consequential action. He was a man of action.

I learned a lot from Senator Paul Coverdell. One thing I learned, although he was one of the fiercest Republicans I've ever known, Paul showed everyone by instruction to never put politics over policy.

I remember being a young member of the General Assembly when then-State Senator Julian Bond stepped down to run for the congressional seat now held by the gentleman from Georgia, Mr. LEWIS. Paul Coverdell was one of the men in the Georgia Senate who stood up and gave a great farewell speech for Mr. Bond.

I remember watching that and saying, ''here is a liberal Democrat and the conservative Republican leader of the State. What is he doing?'' I knew there was a lesson to be had. Bipartisanship and civility is important and you should never let politics rule over policy.

A week before he died, Paul called me at home on a Sunday. We had an issue in my district with the Federal Law Enforcement Training Center, and we kind of got off path. He said, ''Jack, I think we are a little out of synch here. I just want to make sure that you and I are okay on this.''

That was typical Coverdell. I think so many of us, including me, would have said, ''Alright, you are way off base. I am right and you are wrong.'' Not Paul, he made it so that it was just so easy to get along.

In closing, I want to say one last thing about Nancy Coverdell—the love of Paul's life. Paul spoke to me about Nancy often. He bragged on how much better she was than him with real estate. It is a rare man who really privately, one-on-one, takes the time to brag about his wife to another man. It is a sign of a great marriage, a great husband and true love. I have the honor of representing Nancy in Congress and I truly appreciate her sharing Paul's life with me, the State of Georgia and our great Nation.

Paul Coverdell was a good Republican, a great strategist, a great ideas man. He had a

world view, unmatched civility and integrity and was a great organizer. He was energetic, a great communicator and a loyalist. In short, Paul Coverdell was a statesman and someone whose example I try to follow to this day.

COMMEMORATING UNITED STATES MARINE CORPORAL LARRY D. HARRIS, JR.

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. COFFMAN of Colorado. Madam Speaker, I rise to pay tribute to a hero: United States Marine Corporal Larry D. Harris, Jr. of Thornton, Colorado.

Corporal Harris, a Marine Corps veteran of Iraq and Afghanistan, graduated in 2003 from Boulder High School where he played football and ran track. He loved being an infantry Marine on the front line.

Corporal Larry Harris displayed heroism and service to others—both overseas and at home. He was awarded the Navy and Marine Corps Achievement Medal for helping civilians severely injured in an automobile accident near Camp Pendleton.

On July 1, 2010, while on patrol in Helmand Province Afghanistan, another Marine was shot in the leg. Picking up his fellow wounded Marine to carry him to safety Corporal Harris tripped an explosive device, absorbing the blast. Though he died in the explosion, his efforts saved the life of the wounded Marine.

Corporal Harris is a shining example of United States Marine Corps service and sacrifice. As a Marine Corps veteran, my deepest sympathies go out to his family and to all who knew him.

THE 36TH YEAR OF ILLEGAL TURKISH OCCUPATION OF CYPRUS

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mrs. MALONEY. Madam Speaker, this week, once again, we commemorate the tragic 36th anniversary of the 1974 illegal Turkish invasion of Cyprus. Thirty-six years later, Turkey continues forcibly to occupy more than one-third of Cyprus with more than 43,000 troops. This amounts to almost one Turkish soldier for every two Turkish Cypriots. It is time for Turkey to withdraw its troops from Cyprus so that the island can move forward as one nation.

I am honored to represent Astoria, Queens—one of the largest and most vibrant communities of Greek and Cypriot Americans in this country. I truly enjoy participating in the life of this community and treasure the wonderful and vital Cypriot friends that I have come to know. Cyprus has long been a key partner for the United States, and our friendship rests on the bedrock of shared democratic values.

As co-chair and co-founder of the Congressional Hellenic Caucus, I have worked diligently with my colleagues in the Caucus out of our mutual concern for the continued division and occupation of Cyprus. We have 158 members today, one of the largest caucuses in Congress.

Cyprus is playing a vital role in European affairs while also strengthening relations with the United States. It has joined with us on issues important to our own security, including the fight against terrorism and other international crimes. Ending the island's tragic division will pave the way to prosperity and peace throughout the entire region.

Last year, I was joined by Hellenic Caucus co-chair Representative GUS BILIRAKIS in urging our colleagues to sign a letter to President Obama thanking him for his vocal support of a unified Cyprus and urging the United States' continued support for a solution to the Cyprus problem that is by Cypriots, for Cypriots.

To date, Turkey has repeatedly ignored all U.N. Resolutions pertaining to Cyprus and has continued to occupy the island in complete violation of international law. Turkey has continued to do so despite the fact that it has been a member of the U.N. Security Council since January 2009. Turkey has also refused to abide by the Judgments of the European Court of Human Rights in numerous cases, thereby continuing to violate the basic human rights of the Cypriot people. This is an outrage.

The current negotiations aim at reaching a comprehensive settlement of the Cyprus problem based on a bizonal, bicommunal federation with political equality, as defined in the relevant U.N. Security Council resolutions, with a single sovereignty, single citizenship and single international personality. The solution must reunite the island, its people, its institutions and its economy and safeguard the human rights and fundamental freedoms of all Cypriots and the withdrawal of Turkish occupation forces from Cyprus.

The United States and the international community must continue to provide support to this process. The people of Cyprus deserve a unified and democratic country, and I remain hopeful that a peaceful settlement will be found so that the division of Cyprus will come to an end.

HONORING CAROL E. SCHATZ FOR TWO DECADES OF SERVICE TO THE CENTRAL CITY ASSOCIATION OF LOS ANGELES

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Ms. ROYBAL-ALLARD. Madam Speaker, I rise today to honor my friend, Carol E. Schatz, on the occasion of her 20th anniversary with the Central City Association (CCA) of Los Angeles in the 34th Congressional District.

During her tenure with the association, I have had the pleasure of working closely with Carol in our joint efforts to revitalize Downtown Los Angeles.

Carol started her career with the CCA in 1990 as the Director of Legislative Affairs. Five years later, she became the association's President & CEO—the first woman in the association's history to hold this leadership position.

Established in 1924 as an advocacy organization for businesses, the CCA represents more than 450 member businesses and organizations, many of which are located or have business interests in the Downtown area. In 1997, Carol's vision led to the creation of the Downtown Center Business Improvement District (DCBID). As the DCBID's President & CEO, Carol's leadership has been instrumental in the district's growth to include more than 2,200 parcels and 1,200 property owners located in the 65-block Central Business District of Downtown Los Angeles. Today, this influential business district is among the largest of its kind in Los Angeles County.

Revenue generated from property tax assessments within the district pay for more than 140 employees to provide security, cleaning and other services in the area. The district also promotes business retention and recruitment, acts as a housing resource to potential residents and developers, and carries out a Downtown marketing program that includes special events, promotional offers, advertising campaigns and other public relations efforts. With a budget of more than $6 million, the DCBID has made Downtown safe and clean and provided a catalyst to bring incredible new residential and commercial investment to Downtown Los Angeles.

Under Carol's dual leadership, the Downtown Center Business Improvement District working in conjunction with the Central City Association of Los Angeles operate under a shared mission—to enhance the quality of life in Downtown.

Under Carol's direction, CCA created the "Downtown Development Strategy" as an updated supplement to the 1985 Downtown Strategic Plan. The plan includes all aspects of a revitalized Downtown, from the creation of mixed-use/mixed-income projects to new transportation amenities. Carol was also instrumental in initiating the Figueroa Corridor Plan and the reauthorization of the Civic Center Authority, which led to the Civic Center Master Plan.

In one of her most significant achievements, Carol utilized the full force of the association's lobbying muscle to win a legislative victory key to the Downtown Los Angeles Renaissance. Passed in 1999 by the Los Angeles City Council, the Adaptive Reuse Ordinance championed by the association is widely credited for allowing developers to convert empty office buildings to housing. As a result of this property use conversion, Downtown today boasts more than 16,000 new residential units, a 141 percent increase since 1991. In addition, Downtown has experienced a dramatic population increase of residents from 19,000 in 1991 to 43,000 today.

Tapping into this expanded pool of customers, the number of Downtown businesses has also increased, from 11,725 in 1991 to 17,028 today, including 180 new restaurants, bars, and nightclubs that have made Downtown Los Angeles an entertainment and dining destination.

Carol embraces a vision of Downtown as a place where professionals live and work and families come to have fun. Her tenacious advocacy was instrumental in bringing the Staples Center to Downtown—the proud home of the Los Angeles Lakers, Clippers, Sparks, and Kings. Carol was also a strong proponent of the creation of LA Live, which has become one of the most vibrant centers for urban nightlife in the nation.

Madam Speaker, I ask my colleagues to please join me in thanking Carol E. Schatz on

her 20 years of exceptional service to the Central City Association of Los Angeles. Through her tireless leadership and her skillful ability to work hand-in-hand with local, state, and federal officials, Carol has made a tremendous contribution on behalf of the Downtown business community, and I look forward to continuing to work with her to realize our shared dream for a thriving and prosperous Downtown for many years to come.

RECOGNIZING THE 60TH ANNIVERSARY OF LOGAN CENTER

HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. DONNELLY of Indiana. Madam Speaker, I rise in recognition of the 60th anniversary of Logan Center in South Bend, Indiana. Since 1950, Logan Center has been a leader in north central Indiana's community in supporting individuals with disabilities.

Americans with developmental or physical disabilities and their families face particularly daunting challenges to maintain health, independence, and quality of life. For the past 60 years, Logan Center has helped these individuals and their families achieve full, successful lives. They provide services such as vocational training and community outings for adults and speech, physical, and occupational therapy for children. The Center also runs Best Buddies, which pairs individuals with disabilities with students from local colleges, forming bonds between individuals across the community.

Additionally, this August, Logan Center will host their 7th annual Logan's Run, a local race and fun walk to raise awareness and benefit those with developmental disabilities.

Logan Center is a well respected organization with the proven ability to improve and change lives, and I am proud of their continued support of our local community for the past 60 years, with many more to come in the future.

RECOGNIZING THE 2010 PACIFIC REGION YOUTH OF THE YEAR RECIPIENT, ROMONIA DIXON

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. MITCHELL. Madam Speaker, I rise today in recognition of Ms. Romonia Dixon of Tempe, the recipient of the 2010 Pacific Youth of the Year Award. This national award, granted by the Boys and Girls Club of America, recognizes Mona's academic excellence and outstanding contributions to her school and community despite personal challenges and obstacles.

For much of her life, Romonia has been moving with her family to different cities and homeless shelters—often times getting separated from her family to ensure each person had a safe haven for the night. Romonia reached out to the Boys and Girls Club-Ladmo Branch five years ago for stability and support and has since become a beacon of inspiration and motivation for younger members.

This remarkable young woman has taken every opportunity to teach the importance of being a conscientious, caring and productive member of society. Romonia participates in the Keystone Club, a leadership and service group for teens, takes part in ''Read to Me'' volunteer program for kids at a shelter where she once lived, and organizes canned food drives.

Romonia's excellence is further reflected in her commitment to her education at Tempe High School. Being a former graduate and teacher at Tempe High School, I am immensely proud of Romonia's achievements—graduating third in her class with a 3.92 grade point average. Romonia's merits extend beyond the classroom where she served as the varsity basketball team's captain, and belonged to a number of school organizations.

Being named Pacific Region Youth of the Year will grant Romonia $24,000 in college scholarships from founding sponsor Reader's Digest Foundation. This will be in addition to the $30,000 in scholarships that Romonia has earned by being named Boys and Girls Club of the East Valley's Youth of the Year. Romonia will spread her talent further as she enrolls at my alma mater, Arizona State University, where she will be a member of the professional program at the W.P. Carey School of Business and the Barrett Honors College.

Madam Speaker, please join me in recognizing Romonia Dixon for her inspiring efforts, talents, and service to our community through the Boys and Girls Club.

THE OIL POLLUTION RESEARCH AND DEVELOPMENT PROGRAM REAUTHORIZATION ACT OF 2010

SPEECH OF

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 2010

Mrs. CAPPS. Madam Speaker, I rise today to express my strong support for H.R. 2693, the Oil Pollution Research and Development Program Reauthorization Act of 2010.

The Deepwater Horizon tragedy has shown that the U.S. preparedness for offshore exploration, in relation to technologies to prevent and respond to oil spills, is severely lacking.

Unfortunately, I know first hand how little these technologies have improved in the past 41 years, since the 1969 oil spill off of my coast in Santa Barbara.

The tragic loss of 11 lives in the explosion on the BP Deepwater Horizon and the resulting environmental damage, underscores the need to focus more research on accident prevention and environmental safety.

H.R. 2693 will make oil and gas drilling safer.

This bipartisan legislation provides for robust oversight and accountability of the interagency research and development program established in the Oil Pollution Act of 1990.

H.R. 2693 sets up a more efficient federal management structure by establishing a multiagency committee to coordinate research and ensure the ongoing development of new technologies and methods to prevent, recover and respond to future oil spills.

We have a responsibility to ensure that the relevant federal agencies are equipped with the financial resources needed to effectively respond to future oil spills.

H.R. 2693 increases the funding for a regional research, development and demonstration program. I support the increase in funding for this program as well as the measure in the bill to authorize $2 million a year for the next 4 years for the National Oceanic and Atmospheric Administration, NOAA, to conduct oil-spill demonstration projects.

As long as we extract and transport oil along our coasts, there will be the risk of oil spills, and the potential for damage to our coastal ecosystems and economies.

That is why I support H.R. 2693. It allows for better interagency coordination and a more robust strategy for responding to and reducing the environmental and economic impacts of future oil spills.

I urge my colleagues to join me in voting yes on H.R. 2693.

ZHENZI QIN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Zhenzi Qin who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Zhenzi Qin is a 12th grader at Arvada High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Zhenzi Qin is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels that strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Zhenzi Qin for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character to all her future accomplishments.

TRIBUTE TO MR. JOSEPH M. FARLEY, FORMER PRESIDENT OF ALABAMA POWER

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. BONNER. Madam Speaker, I rise to offer tribute to a remarkable businessman and leader in Alabama, Mr. Joseph M. Farley, who passed away on May 24 at the age of 82.

Joe Farley guided Alabama Power Company for 2 decades, serving as president from 1969 to 1989.

He is credited with—and admired for—his steady and wise leadership, successfully guiding Alabama Power during some very difficult times for the energy industry in America.

From the beginning, it appeared as though Joe Farley was both educated and trained for the task of running a major energy company. He held a mechanical engineering degree from Princeton University, attended the University of Alabama's College of Commerce

and Business Administration, and earned a law degree from Harvard University. At every level Joe excelled and even as a young man, he was always the one person that others looked up to as a leader.

After serving 2 decades at the helm of Alabama Power, Mr. Farley took over the nuclear energy division of the Southern Company—Alabama Power's parent company.

His advocacy of nuclear energy could not have come at a more important time for the nuclear industry and he instantly became known around the country as one of the preeminent experts on the subject. He was responsible for the construction of the nuclear power facility near Dothan, Alabama which bears his name. Even today, the Farley Nuclear Plant remains an example of how productive and efficient nuclear power can be used in generating electricity.

A former president of the Birmingham Area Chamber of Commerce and the Alabama Chamber of Commerce, Mr. Farley was also inducted in the Alabama Business Hall of Fame.

A highly regarded family man and member of the board of the Alabama Children's Hospital Foundation, Joe Farley was truly a credit to our state and his loss will be deeply felt by all who knew him.

Madam Speaker, our sincere condolences and prayers go out to his family and friends during this difficult time.

HONORING JOHNNY DENIZ

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. RADANOVICH. Madam Speaker, I rise today to commend and congratulate Johnny Deniz on being honored as the Madera Chamber of Commerce 2010 Senior Farmer of the Year. Mr. Deniz will be recognized at the annual Senior Farmer Dinner on Thursday, July 22, 2010.

Mr. Johnny Deniz was born on July 24, 1931 in Madera, California. At the age of 18, he began his farming career. During his 60 years of farming, he has grown almonds, cling peaches, nectarines, plums, table grapes, wine grapes, tomatoes, cotton, prunes and alfalfa. Throughout his career, Mr. Deniz has owned and operated farms of all sizes, ranging from 450 acres to 2,000 acres.

Mr. Deniz's legacy in Madera County agriculture has been his contribution toward protecting the county's water supplies, including fighting for historic water rights and federal contracts. Mr. Deniz has appeared before Congressional committees, as well as state and local water jurisdictions, as an expert on Madera County water rights. His honesty, integrity and knowledge in representing agriculture in the county and the Central San Joaquin Valley will continue to benefit future farming generations for years to come.

Outside of the farm, Mr. Deniz has served on the board of the Madera Irrigation District for over 20 years, and on the boards of the Friant Water Users Authority and the Association of California Water Agencies. He also served on the board and was chairperson of LAID–CWD Power Authority. Mr. Deniz has been a member of the Madera County Farm Bureau and Western Growers for 25 years, and the Almond Tree Huller and the California Association of Wine Growers for 15 years. He is the co-owner of Madera Pumps, Inc. Mr. Deniz also serves on the Saint Joachim's School Board. For his service, Mr. Deniz has been recognized by the Future Farmers of America, and has received the ''Recognition of Service'' award from the Madera Irrigation District and the Association of California Water Agencies.

Madam Speaker, I rise today to commend and congratulate Johnny Deniz on being named the Made Chamber of Commerce 2010 Senior Farmer of the Year. I invite my colleagues to join me in wishing Mr. Deniz many years of continued success.

BIPARTISAN YUCCA MOUNTAIN SUPPORT

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. WILSON of South Carolina. Madam Speaker, I rise today to thank Senator PATTY MURRAY of Washington State for bringing attention to the need to reinstate funding for Yucca Mountain. This critical issue involves a $10 billion investment and a 23 year bipartisan agreement. I applaud Senator MURRAY for introducing an amendment to protect taxpayers' investment by reinstating funding for Yucca Mountain.

America must remain committed to lessening our dependence on foreign oil. We should promote nuclear energy that is a clean and cost-effective energy source. However, in order to keep nuclear energy safe, we need a secure, permanent place to dispose of it. And that place should be Yucca Mountain.

I agree with the Charleston Post and Courier that closing Yucca Mountain is ''breathtakingly irresponsible.'' I also appreciate the Aiken Standard's Mike Gellatly for highlighting the bipartisan support of this issue and Senator MURRAY's amendment.

There is clear bipartisan support from the Aiken County Council, South Carolina's Attorney General Henry McMaster, the entire South Carolina delegation, and now Democrats questioning leadership of the Senate.

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

JUDGE DONALD SHAVER

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. CARDOZA. Madam Speaker, I rise today to honor Judge Donald Shaver who will retire from the court in August 2010.

Judge Shaver began his legal career in private practice with Diehl, Steinheimer, Riggio, Haydel and Mordaunt in 1981. He continued private practice in 1982 with the firm, Calone and Roster in Modesto. He entered into the Stanislaus County District Attorney's Office as a homicide attorney where he remained for 7 years.

Judge Shaver was appointed Judge of the Municipal Court of California, County of Stanislaus, in 1990. He served on the Superior Court and Municipal Court Consolidation Committee from 1996–1998. During this time he was elevated to the Superior Court of California, County of Stanislaus.

Judge Shaver demonstrates leadership through many avenues including his recent activities as section liaison to the ABA Coalition for Justice and co-chair to the ABA Section of International Law, International Criminal Law Committee. In 2006, Judge Shaver was the first American judge to work with the International Criminal Court in The Hague.

Judge Shaver is highly respected by a broad segment of the justice system based on his honesty, integrity and sense of fair play.

Madam Speaker, I ask that my colleagues join me in honoring Judge Donald Shaver for his efforts and dedication to the Superior Court of California and the County of Stanislaus.

YAISANI NAMVONG

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Yaisani Namvong who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Yaisani Namvong is a 12th grader at Arvada High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Yaisani Namvong is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels that strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Yaisani Namvong for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character to all her future accomplishments.

RECOGNIZING CHERYL A. THOMPSON FOR HER COMMUNITY LEADERSHIP AND SUPPORT

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. BONNER. Madam Speaker, I rise to recognize and commend the exemplary public service of Cheryl A. Thompson, who recently retired as vice president of the Mobile Division of Alabama Power.

As each of us has personally realized during times of stormy weather, there are few things that we depend upon more than electricity. For more than a decade, the person who was saddled with the immense responsibility of keeping the power on for more than 200,000 households and businesses in southwest Alabama has been Cheryl Thompson.

Madam Speaker, the Gulf Coast is no stranger to bad weather and we've had our

share of hurricanes and tropical storms since 1998, the year that Cheryl took the reins of the Mobile Division of Alabama Power. As the head of a team of over 400 personnel, she has ensured that we don't remain in the dark even when Mother Nature is at her worst.

Equally important, however, Cheryl has brought much more to our community than just her role as the head of the Mobile Division for Alabama Power. She is an active supporter of many local organizations that enrich our lives and promote jobs.

Cheryl is past chair and a member of the board of the Industrial Development Board of Mobile. She also serves on the boards of the Mobile Area Chamber of Commerce, the National Maritime Museum of the Gulf of Mexico, the executive council of the Mitchell College of Business at the University of South Alabama, the Mobile Symphony, and is past chairman of Leadership Alabama.

A native of Alexander City, Alabama, Cheryl holds degrees from Auburn University and the University of Alabama. She has completed the Advanced Management Program at Templeton University, Oxford, England, and the Women in Power Program at Harvard University.

After joining Alabama Power in 1972, Cheryl worked for more than 2 decades in the Eastern and Birmingham Divisions in corporate marketing. She was named southeast region manager at Georgia Power in 1996, and took over Alabama Power's Mobile operations 2 years later.

Cheryl has been a tremendously positive force in our community and on behalf of the many people in South Alabama who have benefited from her considerable talents, I join in wishing Cheryl and her wonderful husband, Jerry, a well-deserved happy, healthy and prosperous future.

COMMEMORATING THE 100TH ANNIVERSARY OF THE ST. ANN'S ITALIAN FESTIVAL

HON. ALBIO SIRES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. SIRES. Madam Speaker, I rise today in honor of the 100th anniversary of the St. Ann's Italian festival in Hoboken, New Jersey. This is a momentous occasion for the city of Hoboken and St. Ann's Parish, as we celebrate the 100th anniversary of this moving and historically important event. This festival not only celebrates the Hoboken community but also the dynamic Italian heritage and culture that has shaped this great city. I am proud of the history of St. Ann's society and festival that was originally established to preserve the customs, heritage, and faith of a group of courageous immigrants from the small town of Monte San Giacomo. Many of these immigrants traveled to New Jersey, a new land with a strange language and customs to seek better opportunities. Bonded by the traditions of their homeland and desire to preserve these customs they created the St. Ann's Society. In later years with perseverance and dedication the society was able to raise enough money to establish the St. Ann's Church on the corner of Seventh and Jefferson in Hoboken. This festival is a celebration of these bold individuals and their devotion in preserving their cherished traditions.

Since the first festival in 1910, it has grown in participants and festivities, again showing the joyful and powerful energy this festival draws from inside and outside of the community. It now features all types of Italian cuisine, including the famous "zeppole" made from a secret recipe that has been faithfully guarded by the members of the St. Ann's Society, and operatic music and singers. The most important aspect of this festival, that has been preserved year after year, is the procession of the statue of St. Ann and a framed picture of San Giacomo, put on display to honor the memory of the St. Ann Society descendents and to preserve their cherished faith and traditions. I know this year's festival will continue to memorialize all the wonderful things this festival has come to represent. I congratulate the St. Ann's society and parish on 100 years of successful festivals.

HONORING WILLIAM BARRY WATTS

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. McCOTTER. Madam Speaker, today I rise to honor the extraordinary life of William Barry Watts and to mourn him upon his passing at the age of 88.

Born on May 20, 1922, William Watts dedicated his life to serving his community and his country. Before graduating from Detroit Catholic Central in 1940, William was a tenaciously rugged lineman for the CC football teams of the late 1930's. Bill was an immensely talented musician as well. Having received many an accolade for playing the violin, flute, saxophone, and clarinet, Bill Watts found himself being transferred during World War II from the Army Infantry to the Air Force so that he could join the 535th Air Force Band.

William Watts earned his BA in music from the University of Detroit and his Masters of Music Education from Wayne State University. Returning to his beloved Catholic Central, Bill Watts served as the band director and music teacher at Catholic Central for more than 30 years as his bands won countless firsts in state competitions from 1950–1982. It serves as a true testament to Mr. Watts that many of his former students went on to become band directors, most notably Greg Normandin from the CC class of 1978 who succeeded Bill as he retired in 1982. A true Shamrock for life, Bill Watts was honored by Detroit Catholic Central in 1993 as the winner of the Fr. Canning F. Harrison Distinguished Alumnus Award.

Regrettably, on June 28, 2010, William Barry Watts passed from this earthly world to his eternal reward. He is survived by his beloved wife, Caroline. Preceded in death by his son Christopher, Bill leaves a legacy of five children, ten grandchildren and five great-grandchildren.

Madam Speaker, William Watts will be long remembered as a compassionate father, a dedicated husband, soldier, musician, teacher and friend. William was a man who deeply treasured his family, friends, community and his country. Today, as we bid Bill Watts farewell, I ask my colleagues to join me in mourning his passing and honoring his unwavering patriotism and legendary service to our country and our community.

IN RECOGNITION OF GOLD RIDGE BAPTIST CHURCH CELEBRATING THEIR 175TH ANNIVERSARY

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. ROGERS of Alabama. Madam Speaker, I would like to request the House's attention today to pay recognition to the congregation of Gold Ridge Baptist Church, which celebrated its 175th anniversary this year.

Gold Ridge Baptist church, originating as New Hope Baptist Church, was the first Baptist church organized in Randolph County, Alabama. The first church was located at Graham near the old Shiloh Cemetery. The church was moved because there was no bridge across the river, and when it rained people on the west side could not attend the church service.

The celebration will be held on July 25, 2010 under their current pastor, T.J. Morgan.

All of us across Randolph County and East Alabama are deeply proud of this congregation at this important milestone. We congratulate them on their 175th anniversary and wish them all the best in their next many years of ministry in their community.

HONORING SAMUEL STATEN, SR.

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. BRADY of Pennsylvania. Madam Speaker, I rise to honor my friend, Samuel Staten, Sr., on his retirement from the Laborers' Local 332, and his long and influential career as a great Philadelphian and influential labor leader.

Mr. Staten worked his way up through the ranks, working 10 years as a construction laborer before becoming a Local 332 field representative in 1970. Three years later, he was appointed as assistant business manager, and in 1978, he was elected business manager of the Local 332. Mr. Staten held the position of business manager until May 2008, serving 30 years in that capacity. Mr. Staten officially retired from the Laborers' Local 332 in March 2010, leaving behind a career that was essential in turning the Local 332 into the powerful labor leader that it is today.

Mr. Staten's great leadership does not stop with Laborers' Local 332. Throughout his career, he has held several significant positions including being a board member of the Philadelphia Housing Authority, a member of the African American Chamber of Commerce, president of the Philadelphia Building Trades, and a board member of the Pennsylvania Convention Center Authority, among many others. Mr. Staten has continually pushed his labor members and community to get involved with countless organizations, and become active in Philadelphia city politics. He truly is an amazing asset to Philadelphia, and a great friend. Remarkably, Mr. Staten is able do all of this and still be a genuine family man. He is the proud and loving father of nine children.

Madam Speaker, I ask that you and my other distinguished colleagues join me in congratulating my good friend, Samuel Staten, Sr., on his years of labor leadership and thank Mr. Staten for his devotion to Laborers' Local 332.

WALTER PETERSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Walter Peterson who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Walter Peterson is an 11th grader at Arvada West High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Walter Peterson is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Walter Peterson for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character to all his future accomplishments.

HONORING JIM TATE, 2010 HIGH SCHOOL GIRLS TRACK AND FIELD COACH OF THE YEAR

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. BONNER. Madam Speaker, I rise to congratulate my friend and, coincidentally, my next door neighbor, Coach Jim Tate, whose tremendous talents as a high school track and field coach in Mobile, Alabama have once again earned him national recognition.

On June 28, Coach Tate was named 2010 National High School Coach of the Year for Girls Track and Field for the outstanding record he has amassed while coaching at Mobile's St. Paul's School.

Perhaps more than any other man to coach the sport, Jim Tate has now garnered not one but two national coaching awards, the first being in 1999 as the Girls Cross Country Coach of the Year by the National Federation of State High School Associations.

Without a doubt, Jim Tate is a legend in Mobile and throughout the State of Alabama. He has been involved with the St. Paul's track and field program for the past 32 years, guiding his teams to a total of 56 titles—17 in girls cross country, 17 in girls track and field, 13 in boys track and field, and nine in boys cross country.

Coach Tate's girls' teams have won five straight Alabama High School Athletic Association Class 5A state titles, and his teams set a national high school record from 1982 through 1998 by winning 16 straight state titles.

Madam Speaker, as you might imagine, Coach Tate has been awarded countless honors for his exemplary coaching ability within the community including induction into the 2008 Mobile Sports Hall of Fame, as well as Coach of the Year honors by the Mobile Press Register more times than one can count. Recently, St. Paul's decided to honor Coach Tate by naming their new field house that is under construction in his honor.

On behalf of the people of South Alabama and especially on behalf of the St. Paul's School family, I extend my heartfelt congratulations to a man who has touched thousands of young lives and who, at all times, has been an exemplary role model as both an athlete and a human being, Coach Jim Tate.

I know Jim's family is exceedingly proud of their father and husband for his wonderful example and his tireless dedication to turning our young people into winners, not just on the athletic field, but in the game of life.

HONORING DEACON THOMAS WILLIAMS

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. KILDEE. Madam Speaker, I rise today to congratulate Deacon Thomas Williams as he celebrates his 100th birthday. Metropolitan Baptist Tabernacle in my hometown of Flint, Michigan is planning a celebration on Sunday, July 25 in honor of the occasion.

Deacon Williams was born in Newton, Mississippi on July 20, 1910. He relocated to Michigan and worked for General Motors for 35 years. He was one of the first black males hired to work at General Motors. He is a charter member of Metropolitan Baptist Tabernacle and has been a faithful member for 72 years attending services every Sunday. Deacon Williams is a former Sunday School teacher, Sunday School superintendent and president of the Young Adult Choir. He continues to be active in the Vacation Bible School and the church's annual picnic. For his continuous service, Metropolitan Baptist Tabernacle gave him the Albert Fleming Award. Deacon Williams has been a member of the NAACP and the Urban League.

Of late, Deacon Williams fills his time cooking, making homemade ice cream, watching TV, and being surrounded by his two daughters, 13 grandchildren, 11 great-grandchildren, 5 great-great-grandchildren, his nephew and his 3 goddaughters.

Madam Speaker, I ask the House of Representatives to rise with me and applaud Deacon Thomas Williams as he celebrates his 100th birthday. His deep trust in Jesus Christ has brought him through the past 100 years and I pray that he will continue to prosper in Our Lord and Savior.

RECOGNIZING 65TH ANNIVERSARY OF END OF WORLD WAR II

SPEECH OF

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 2010

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to recognize the 65th anniversary of the end of World War II.

Following the Japanese attack on Pearl Harbor, thousands of young Americans flooded their local recruiting offices to enlist in the Armed Services. In total, over 16 million served in uniform to defend their families, their homes, and our freedoms.

Those serving on the front lines were not the only Americans making sacrifices during America's 4 years in World War II. From Victory Gardens to sugar and gasoline rations, World War II united all Americans. The cooperation and patriotism shown during those times illustrate the best of the American spirit. It is no wonder that these Americans are so often referred to as "the Greatest Generation."

Today, approximately 20,000 World War II veterans live in Florida's Fifth Congressional District. I regularly meet with these veterans. Almost always, what I hear from them is their concerns about where our Nation is going. They fear that we have abandoned the goals and ideals that they fought for, and that 405,000 members of the Armed Forced died for, during World War II.

I would like to thank my colleague from Missouri, Mr. SKELTON, for introducing this resolution to recognize the service and sacrifices of all of the brave men and women who fought against some of the greatest evil the world has ever known. I hope that as we honor these veterans with this resolution, we will also honor them with our acts—returning to the beliefs in democracy, liberty, and freedom from tyranny that made our great Nation what it is today.

With that I ask my colleagues to support this resolution.

HONORING SERGEANT DONALD EDGERTON FOR HIS SERVICE IN IRAQ AND AFGHANISTAN

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. SHULER. Madam Speaker, I rise today to honor SGT Donald "Rocky" Edgerton of Murphy, North Carolina, for his valiant service in the United States Army. After September 11th, Sergeant Edgerton's profound sense of duty for his country moved him to join the Army.

He spent his first tour of duty in Iraq, and after serving his country for over a year, he came back with an even deeper feeling of obligation. He was then chosen to enroll in sniper school, where he earned the reputation of "top gun" due to his incredible accuracy with a rifle. When he was called for another tour of duty in Afghanistan, Sergeant Edgerton fearlessly welcomed the challenge even though he had to leave behind his beloved wife and young daughter.

On July 10, the day after his 33rd birthday, Sergeant Edgerton was leading his troops just north of Char Dara, Afghanistan when insurgents attacked his unit and detonated an improvised explosive device that ultimately took his life. A short while prior, Edgerton had just been nominated for a Bronze Star Medal for saving the lives of several members of his convoy during an attack.

Edgerton received various medals and accolades for his service, including the Army Achievement Medal, the National Defense Service Medal, the Iraq Campaign Medal, the Afghanistan Campaign Medal, the Global War on Terror Medal, the NATO Medal, the Army Service Ribbon, and two Overseas Service Ribbons. He was also awarded the Purple Heart, the Bronze Star Medal, the Army Good Conduct Medal, and the Combat Action Badge, all posthumously.

Madam Speaker, Sergeant Edgerton embodied the most essential qualities of an American soldier. He was selfless, dedicated, and brave. He is remembered as a man who put the safety of his fellow troops before his own, and accordingly a man who has earned the unwavering respect of his peers. Through his exemplary service in Iraq and Afghanistan, SGT Donald Edgerton has brought pride to our troops, his family, and all of Western North Carolina. It is truly my honor to commemorate him and I urge my colleagues to join me today in honoring the life of SGT Donald "Rocky" Edgerton for the sacrifices he has made for our country.

HONORING THE RAINBOW COMPANY: RECIPIENT OF THE CHILDREN'S THEATRE FOUNDATION OF AMERICA'S 2010 MEDALLION AWARD

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Ms. BERKLEY. Madam Speaker, today I urge my colleagues to join me in recognizing the Rainbow Company as the 2010 recipient of the Medallion Award from the Children's Theatre Foundation of America.

In 1976, the Rainbow Company opened the first children's theatre company in Las Vegas. Patricia Marchese, the Manager of the City of Las Vegas' Cultural and Community Affairs Division asked Jody Johnston to teach drama classes that proved so popular they asked Jody to produce plays.

The Rainbow Company's first production was Pippi Longstocking. Pippi toured locally and was later recorded and given the "Best of the West Award" for the best educational programming in the western United States.

In 1980, the Rainbow Company produced a show that acquired national consideration. Odd Man Out, an original script by Brian Kral, focused on a dance teacher and her class of disabled students. The play featured both disabled and non-disabled children and was preceded by months of drama classes with disabled young people. This led to a 1981 People magazine article that noted the Rainbow Company's achievement as "the first theatre in the U.S. to totally integrate handicapped and non-handicapped" students.

In 2001, the Rainbow Company began to put on workshops that became so successful they were expanded to full-day camps that last for 8 weeks. In addition, they provide outreach classes for at-risk children at local elementary schools and shelters.

Rainbow Company has obtained several other accolades including the Nickelodeon's Parents' Picks' 2009 Award and the National Recreation and Park Association's first-place Dorothy Mullen Arts and Humanities Award.

As the Representative for Nevada's First Congressional District, home to the Rainbow Company, it gives me immense pride to recognize this outstanding and unique company for their achievements in providing the children of my district with unparalleled touring and main-stage acting opportunities, outreach programs, educational programs and annual workshops. I urge my colleagues to join me in recognizing this outstanding organization for their contribution to the arts and education and for their 2010 Medallion Award from the Children's Theatre Foundation of America.

WHITNEY NELSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Whitney Nelson who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Whitney Nelson is a 9th grader at Ralston Valley High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Whitney Nelson is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Whitney Nelson for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character to all her future accomplishments.

REMEMBERING THE LIFE OF STAFF SERGEANT DAVID SMITH

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. BONNER. Madam Speaker, I rise today to honor the life and the patriotic service of U.S. Air Force SSgt. David Smith, age 26, a dedicated defender of American liberty, who lost his life while coming to the aid of wounded warriors in Afghanistan.

Staff Sergeant Smith, a graduate of Satsuma High School and a resident of Eight Mile, Alabama, was devoted to his mission of rescuing his comrades on the battlefields of Iraq and Afghanistan. During his years of wearing the uniform of his country, he proudly participated in more than 130 combat missions, literally saving the lives of hundreds of military personnel.

A member of the 66th Rescue Squadron from Ellis Air Force Base in Nevada, Staff Sergeant Smith was assigned to the 563rd Rescue Group. While conducting a medical evacuation mission in Afghanistan's Helmand province, his HH–60G Pave Hawk helicopter was shot down by Taliban insurgents on June 9, 2010.

Speaking about the loss of Staff Sergeant Smith, as well as three of his comrades and those injured aboard their rescue helicopter, U.S. Air Force Chief of Staff General Norman Schwartz noted, "Faithful to the rescue motto 'That others may live,' these airmen were courageously and selflessly flying in support of their joint coalition teammates. We grieve for our warriors and our thoughts and prayers are with their families, as well as with the airmen still recovering."

At the time of his death, Staff Sergeant Smith was just 5 days from completing his combat duty. He was awarded the Purple Heart, Air Force Combat Award Medal, and the Alabama Distinguished Service Medal.

During this time of sorrow, my heart and prayers go out to Staff Sergeant Smith's mother, Mildred Hardee, his fiancée, Meggan Eckersley, brothers, Randall Dunn and Todd Smith, sisters, Tracy Smith and Jamie Smith, and his extended family.

On behalf of the people of Alabama, I wish to extend our deepest condolences to the family of Staff Sergeant Smith for the loss of their beloved son, brother and finance. He is truly an American Hero and we will always cherish his service to his country and its people.

HONORING CALIFORNIA GRIZZLIES JUNIOR RIFLE TEAM

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. RADANOVICH. Madam Speaker, I rise today to commend and congratulate the California Grizzlies Junior Rifle Team on winning the 2009 National Trophy Infantry Match at Camp Perry on August 7, 2009. The team will be recognized and honored at the annual National Rifle Association sanctioned high power match on Saturday, July 3, 2010.

The California Grizzlies Junior Rifle team consists of seven juniors from around the state of California; team captain Anthony Henderson, Sonora; David Bahten, Jamestown; Chad Kurgan, Sonora; Jim Minturn, San Diego; Joshua Lehn, Lemoore; Cheyanne Acebo, Vacaville; and Matthew Chezem, Simi Valley. The team is lead by coach Jim O'Connell. The 2009 National Trophy Infantry Match winners shot a 1284, becoming the first junior team to ever win the event and the first civilian team to win in 79 years. The team has been a tough competitor in recent years. They finished fifth at the event in 2008, setting a record with a score of 1233. The team won the junior title, setting new records in 2008 and 2009 in the National Trophy Team event, shooting a score of 2870 to finish eighth overall. The team consistently has members in the President's 100, a group of distinguished shooters and members that receive notable rankings and points in various competitions.

The competition at Camp Perry includes many different matches; the Infantry Team Match, established in the late 1920s, is the competition that most closely resembles battles from war. Teams of six shoot at eight targets, starting off at six hundred yards, moving

to five hundred yards, then three hundred yards and ending at two hundred yards. These shots are taken in the three shooting positions: prone, sitting and standing. Each member of the team fires sixty-four total rounds with just fifty seconds to get into each position and fire. The best competitors can fire a shot a second and hit the target.

Madam Speaker, I rise today to commend the California Grizzlies Junior Rifle Team upon their 2009 victory. I invite my colleagues to join me in wishing the team many years of continued success.

HONORING BILLY ''SINGLE'' CLIFFORD

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. JORDAN of Ohio. Madam Speaker, I am honored to commend to the House the work of the Champaign County Bicentennial Historical Marker Committee to promote the career and contributions of Urbana native and vaudeville legend Billy ''Single'' Clifford.

Born Clyde Shyrigh, Clifford was born in 1869 in Urbana, Ohio, to Levi and Sarah Shyrigh. His love of music was evident from his early childhood, when he would stage performances in the family barn. Clifford began appearing with a traveling circus at age 10, where he further developed his singing and dancing skills. This led him ultimately to a successful vaudeville career, with performances along the East Coast and throughout Europe.

Clifford built the Clifford Theater in 1905 on the site where his family's barn had stood. The theater was the first of its kind in Urbana, with an 80-foot stage and a seating capacity of 700. In addition to performances by a vaudeville troupe formed by Clifford, it hosted many notable entertainers through the years—including the March King, John Philip Sousa.

On July 24, the Champaign County Bicentennial Historical Marker Committee and the family and friends of Charles L. Mott will dedicate a marker celebrating Clifford and the Clifford Theater. I am honored to join them and the people of Champaign County in commemorating this event.

IN RECOGNITION OF THE 70TH ANNIVERSARY OF AMERICAN LEGION POST 374

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. PETERS. Madam Speaker, I rise today to recognize American Legion Post 374, in Berkley Michigan on the occasion of its 70th Anniversary of service to the Veterans of our community. As a Member of Congress it is both my privilege and honor to recognize the men and women of this post for their years of service and contributions which have enriched and strengthened our community.

The Berkley American Legion Post 374 has been a cornerstone of the Berkley community for the last 70 years.

Post 374 owes it provenance to a collaboration between the Berkley American Legion, the Berkley Odd Fellows and local vets with a vision. Working together, drawing on each strengths and needs and with a lot of heart, Post 374 was established on July 27, 1940.

Since then, Post 374 has been a welcome doorstep for veterans recently returning as well as those whose years of active duty were long past. The Post is truly an institution in Berkley. Its members have built an institution suffused with friendship, camaraderie and service. It engages young people through scholarship and other programs. It helps veterans who have fallen on hard times get the services and support they deserve. Each year, on Memorial Day, the Post places American flags on the gravesites of roughly 3000 veterans laid to rest in a local cemetery. The Post has been the site of countless fish frys, steak frys, special birthdays and weddings. It is a place where the community gathers and it is much beloved.

Madam Speaker, I ask my colleagues to join me today to honor the Berkley American Legion Post 374 on its 70th Anniversary and salute its many active members in their service to our veterans and community.

HONORING THE HISTORY AND SERVICE OF THE URSULINE SISTERS OF LOUISVILLE

HON. JOHN A. YARMUTH

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. YARMUTH. Madam Speaker, I rise in recognition of a group of remarkable women who have played a vital role in strengthening communities across Kentucky, throughout the nation, and around the globe for more than 150 years. Since 1858, the reach of the Ursuline Sisters of Louisville has grown from a school on the corner of Chestnut and Shelby Streets in downtown Louisville to a mission that touches the lives of thousands of women, men, and children across the nation and across the globe. And on July 25, the Sisters will have their distinguished history and continued service officially recognized by the Commonwealth of Kentucky when a marker is placed at the site where their mission began so many years ago. Today, I am honored to join the chorus of voices praising the Ursuline Sisters of Louisville for their decades of contributions to better the world through their teachings and actions.

The story of the Ursuline Sisters in Lousiville began when three sisters from Germany arrived 152 years ago to pursue a tradition of faith and service, answering the call meet the needs of the community's children. In the spirit of their founder—St. Angela Merici—they sought to serve with an openness and eagerness to meet the needs of others. Compelled by faith and principle and driven by hard work, the Ursuline Sisters soon made that mission a reality, each and every day of the last 152 years.

Within weeks of their arrival, the Sisters were teaching dozens of children. Under their leadership, construction on a new convent and school—Ursuline Academy—was completed the following year. Their successful efforts soon expanded exponentially. In less than 25 years, more than 100 sisters were teaching in 20 Ursuline schools.

Today, the Ursuline Sisters of Louisville have grown to serve a community of faith in eight states and Peru.

The Ursuline Sisters do not just offer a quality education or health care—they provide invaluable guidance and assistance to those who need it most. Throughout their history, the Sisters have worked on behalf of the underserved and the disenfranchised, seeking to empower every life they touch. Today, the schools they have established and operate, the students they have taught, and the people they have served stand as a living legacy to their mission to create stronger communities and a stronger world.

By placing a historical marker at the place where this powerful mission began, the legacy of the Ursuline Sisters will remind and educate our community about the impact of service. The Ursuline Sisters of Louisville don't just change with the world—they help shape it through knowledge, compassion, and a selfless commitment to service.

Therefore, I ask my colleagues to join me today in further recognizing the extraordinary work and dedication of the Ursuline Sisters of Louisville.

VIRIDIANA ROBLES

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Viridiana Robles who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Viridiana Robles is a 12th grader at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Viridiana Robles is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Viridiaina Robles for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character to all her future accomplishments.

A TRIBUTE TO THE HONORABLE SETH HAMMETT, RETIRING SPEAKER OF THE ALABAMA HOUSE OF REPRESENTATIVES

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. BONNER. Madam Speaker, I rise today to honor the remarkable service of a true public servant from my home State of Alabama. A native of Andalusia, Seth Hammett is retiring this year as Speaker of the Alabama House of Representatives and Representative for the 92nd House District serving Covington and Escambia counties.

Speaker Hammett, a pilot in the United States Air Force and founder and president of

the First National Bank of Andalusia, was first elected to the Alabama State House of Representatives in 1978.

Since that time, the speaker has been regarded as truly one of the most effective leaders ever to serve in the Alabama House of Representatives. Not only has he earned bipartisan respect from his colleagues in the Alabama House, but organizations such as the Business Council of Alabama and the Alabama Rural Electric Cooperatives, to name just a few, have time and again called upon Seth for his calm leadership and sound judgment.

During his time in office, Speaker Hammett has become a fierce proponent of higher education. For over a decade, he served Lurleen B. Wallace Community College as its president. Additionally, his efforts have earned him many awards, including the Courage of Conviction Award given by the Higher Education Partnership, The Legislative Leadership Award given by the Council for Leaders in Alabama Schools and the Legislative Award given by the Alabama Association of School Boards.

Due to his strong convictions and commitment to serving the State of Alabama, Speaker Hammett has also been the recipient of the Children's Hero Award given by the Alabama Department of Human Resources and the Meritorious Service Award given by the Montgomery Advertiser. In addition to these honors, Seth was named Citizen of the Year for the city of Andalusia and a Guardian of Small Business by the National Federation of Independent Businesses.

Speaker Hammett also had the honor of serving as chairman of the 16-State Southern Legislative Conference as well as president of the National Speakers Conference. He is currently a member of the Executive Committee for both conferences.

In his business life, he also serves the vice president of business development for PowerSouth Energy Cooperative and as president emeritus of Lurleen B. Wallace Community College.

Madam Speaker, in addition to his undying commitment to his community, Speaker Hammett is an equally devoted father and husband. He and his lovely wife, Nancy, have been blessed with a wonderful family that includes adult children and grandchildren. He is also an active member of the First United Methodist Church of Andalusia.

Speaker Hammett has been the epitome of a servant leader and has represented the great State of Alabama with unprecedented devotion. Over the years, he and I have had several occasions to work on economic development projects that have proven important to the State of Alabama and while it is with genuine sadness that I watch my good friend leave office, it is also with great gratitude that I thank him for his incredible life of service to our beloved Alabama.

HONORING THE LATE LORRAINE BERRY, FORMER MEMBER OF THE LEGISLATURE OF THE VIRGIN ISLANDS

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mrs. CHRISTENSEN. Madam Speaker, I rise to pay tribute to the late Lorraine L. Berry, who made her final transition on July 19th. She was born on St. Thomas on November 15, 1949, the eldest of nine children. Her mother, Emelda, and father, Joseph, provided their children with a sense of responsibility and commitment to their community.

Lorraine developed an interest in politics as a teenager, inspired by the riveting and profound words of Dr. Martin Luther King in his ''I Have a Dream'' speech during the August 8, 1963 march on Washington, DC. His remarks made an indelible mark on Lorraine and she never wavered in her zeal to someday make that dream a reality.

Lorraine got her feet wet as the president of the PTA of Joseph Sibilly Elementary School (formerly known as the Robert Herrick School). Her aggressive agenda and her assertive and dedicated commitment to the improvement of the school so impressed the late Governor, Cyril Emanuel King, that he encouraged her to get involved in politics and join his party, the Independent Citizens Movement. She took his advice to become politically active, but because of the strong impression she had established in the community, she was drafted by then Senator Earle B. Ottley and political activist, Roy Gottlieb to serve on the Democratic Party Territorial Committee.

During her political career, she founded Virgin Islanders for Democratic Action Club (VIDAC) to raise the community's consciousness and provide the basis for political and legislative initiatives and promoted responsible and responsive political leadership. Her most recent symposium was on the ''Responsibilities of Political Leadership'' and she encouraged women to become involved in the process and run for public office.

Virtually from the time she entered the labor force, Lorraine has been a dedicated public servant. She served in several governmental posts including Manager of the St. Thomas District Office the Virgin Islands Delegate to Congress, Ron de Lugo. In 1982, she successfully ran for a seat in the St. Thomas District of the Virgin Islands Legislature.

Senator Berry gained vast experience in her service as the Chair of the Committee of Government Operations in the 15th Legislature; Chair of the Committee on Finance in the 17th, 18th and 23rd Legislature; Majority Leader of the 18th Legislature; Chair of the Committee on Health in the 19th and 20th Legislatures; President of the 22nd and 26th Legislatures; and Vice-President and Chair of the Committee on Public Safety, the Judiciary, Homeland Security and Justice in the 25th Legislature

In her twenty-four years as a lawmaker, Senator Berry's courageous leadership shepherded passage of landmark legislation that critically impacted on the political, economic and social fabric of our society. The initiatives she enacted provided much needed support for families, economic development incentives for investors, public safety of the community, business opportunities for residents, employment opportunities and public sector employment for Virgin Islanders.

Over the years, one of the most challenging issues was the state of the health care system. Senator Berry supported the establishment of semi-autonomy for our hospitals, and the use of Tobacco Settlement funds for a cancer center on St. Thomas and the cardiac center on St. Croix, both of which are fully operational and successful facilities today providing services that Virgin Islanders would have to go off island to receive.

In 1986, Senator Berry sought the Democratic Party primary bid for Governor of the Virgin Islands, along with her running mate for Lt. Governor, Senator St. Clair Williams. She fostered a progressive platform that included mandatory education for the children of the Virgin Islands as a birthright. She waged war against the ''four horsemen of the apocalypse''—fiscal irresponsibility, corruption, cronyism and rampant waste. Although, she did not prevail, she remained committed to establishing a government that provided services to its citizens, while remaining fiscally viable.

Because of her strong advocacy for women and the obstacles in sexism she had endured over her lifetime, she agreed to join gubernatorial candidate Judge Edgar Ross to run in the 2006 Democratic primary. She wanted to raise the political bar for women in the Virgin Islands. She felt that the Executive Branch had eluded women for far too long, and it was her obligation to enter the race to stimulate women's interest in running for higher office. Although the Ross-Berry team was defeated, their message was positively received by the public and to this day, have a core group of loyal supporters that remain committed to the principles that they ran on.

As she battled with her illness, Senator Berry was unwavering in her concern for the lack of women in the political process and the welfare of our young people. She believed that no future Legislature should be without women. Women make up more than 55% of the population, but over the past 10 years, there has been only one woman in the Senate. She felt that women must encourage and support women in and out of public office if the issues of women, children, and families are to be adequately addressed.

Lorraine leaves behind a legacy that will be difficult to match. The entire Virgin Islands community owes a debt of gratitude to her.

To her husband, Richard, and her children, Roxanne and Curt, thank you for giving her the support as she fought for the Virgin Islands. As you struggle to adjust to Lorraine's passing, please find comfort in knowing that many of us remain dedicated to ensuring that she will never be forgotten.

On behalf of the 111th Congress, my staff and my family we offer our heartfelt sympathy. May her soul forever rest in eternal peace.

RECOGNITION OF THE MUSICAL ACHIEVEMENTS OF LYNYRD SKYNYRD

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. BACHUS. Madam Speaker, in the music world, it is challenging enough for a band to record one hit song, much less become a voice for an entire region and a true icon. That is why Congressman CONNIE MACK and I are pleased to jointly recognize the accomplishments and patriotic spirit of the legendary Lynyrd Skynyrd.

From humble beginnings, Lynyrd Skynyrd has become one of the most revered and accomplished bands in the history of music, having sold nearly 30 million records worldwide in

the last four decades. Through their live performances and the music and songs still played on radio stations around the world every day, the members of Lynyrd Skynyrd have established themselves as timeless artists who transcend any one musical era or generation.

As validated by their induction into the Rock and Roll Hall of Fame in 2006, Lynyrd Skynyrd has had a seminal impact on the development of rock and country music and a profound influence on the career development of many artists who followed in their creative footsteps.

Through their collective voices, the band has become a beacon for regional identity and pride in the American South. This is perhaps best epitomized by the song ''Sweet Home Alabama,'' an anthem so universally identified with the state of Alabama that it is the official motto displayed on license plates.

Since their start in Jacksonville, Florida in the late 1960s, Lynyrd Skynyrd has been a spokesman for the everyday working man and woman, the friends and neighbors of their formative years. Their ability to capture a unique part of the American spirit has given their music emotional meaning to many fans and built a legacy that continues to grow year after year.

Amid triumph and loss, these sons of the south have evolved from band to close-knit family. A tragic airplane crash in 1977 claimed original members Steve Gaines, Cassie Gaines, and lead singer Ronnie Van Zant, but Ronnie's brother Johnny carried on the tradition as the new vocalist. Devoted fans cherish the contributions of Bob Burns, Ed King, and Artimus Pyle and remember the legacy of Allen Collins, Leon Wilkeson, Billy Powell, and Ean Evans. Today, led by core members Johnny Van Zant, Gary Rossington, Rickey Medlock, and Michael Cartellone, Lynyrd Skynyrd continues to share an unbreakable bond with the fans they count as family as well.

Lynyrd Skynyrd has been a generous supporter of our men and women in the armed forces for many years. The band has long understood that our military personnel bravely and unselfishly stand guard over our everyday security and freedom. They have enthusiastically raised money for military families and played countless shows for our service members in uniform. Their song ''Red, White, and Blue'' was written as a tribute to the men and women who serve in the defense of freedom.

As representatives of timeless American values and champions of working class heroes, Lynyrd Skynyrd continues to entertain and inspire millions of fans across the world. Along with Congressman MACK, I find it highly appropriate that the people's House takes time to recognize this classic band for lasting contributions not just to the world of music, but to American popular culture as a whole.

LEXINGTON, NORTH CAROLINA—THE BARBEQUE CAPITAL OF THE WORLD

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. COBLE. Madam Speaker, we call Lexington, North Carolina, the Barbeque Capital of the World. On April 29–30, 2011, the eyes of the barbeque world will be focused on Lexington as it hosts the Inaugural BBQ Capital Cook-off.

The Cook-off, which hopes to become an annual competition, will not only feature the tastiest food in the world, but will aid in the restoration of downtown Lexington. With people coming from all over the east coast and midwest, hotels will be utilized, food will be eaten, gas will be pumped, and most importantly, people from all over the United States will come to celebrate the heritage and history of world-famous, Lexington-style barbeque.

Uptown Lexington, Inc., has spearheaded the restoration of Lexington and is continuing that goal by hosting the cook-off. The organization has also applied to the Kansas City Barbeque Society for event sanctioning and has asked Governor Beverly Perdue to proclaim the event as a North Carolina State Barbeque Championship.

On behalf of the citizens of the Sixth District, we congratulate Uptown Lexington, Inc., for sponsoring the Inaugural BBQ Capital Cook-off. We extend best wishes for a rousing success in the Barbecue Capital of the World.

INTRODUCTION OF RESOLUTION EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES THAT THE UNITED STATES PROMOTE RESPECT FOR AND FULL APPLICATION OF THE PROVISIONS OF THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES, CONSISTENT WITH U.S. LAW

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. FALEOMAVAEGA. Madam Speaker, I rise today to introduce a resolution for the United States to promote respect for and full application of the provisions of the United Nations Declaration on the Rights of Indigenous Peoples, consistent with U.S. law.

That Declaration is a landmark instrument outlining the rights of the world's 370 million indigenous peoples in 70 countries. A nonbinding text comparable to the Universal Declaration of Human Rights, the Declaration on the Rights of Indigenous Peoples sets out the individual and collective rights of indigenous peoples, as well as their rights to culture, identity, language, employment, health and education.

The United States was one of only four member states of the United Nations to vote against the declaration in 2007, while 143 voted in favor. Three of the four states who initially voted against it have already reversed their opposition to the Declaration or are in the process of doing so. Meanwhile, the U.S. Government has launched a formal review of the Declaration to determine whether the United States will change its stance.

Today, indigenous peoples face disproportionate discrimination, inadequate health care, violent crime, poverty, unemployment and environmental degradation even as they struggle to maintain their own institutions, cultures and traditions.

The United States has taken great steps to improve the condition of indigenous peoples, including hosting a historic meeting of nearly 500 tribal leaders last year and President Obama's issuance of an Executive Order on Consultation and Coordination with Tribal Governments. Yet, as U.S. Ambassador to the United Nations Susan Rice has said, ''far more must be done—at home and abroad—to tackle'' the challenges facing indigenous peoples.

The Declaration on the Rights of Indigenous Peoples provides an important framework for addressing indigenous issues globally. To further U.S. leadership in improving the conditions faced by indigenous people, the United States should promote respect for and full application of the provisions of the Declaration as soon as possible.

I urge all my colleagues to join me and Representatives ELLISON, BARBARA LEE, CHRISTENSEN, GRIJALVA, HASTINGS, DELAHUNT, HONDA, JOHN LEWIS and GEORGE MILLER in supporting this resolution and moving it toward speedy adoption.

CHRISTOPHER BREWER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Christopher Brewer who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Christopher Brewer is a 10th grader at Ralston Valley High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Christopher Brewer is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations once again to Christopher Brewer for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character to all his future accomplishments.

A TRIBUTE TO CAPTAIN DERON BERTHOLD

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. GUTHRIE. Madam Speaker, I rise today to honor Captain Deron Berthold, who has virtuously served the United States and the Commonwealth of Kentucky.

After 20 years of dedicated service, Captain Berthold will retire from the Kentucky State Police. However, he leaves behind a great legacy and is an example for all current and future officers.

Captain Berthold earned his degree from the University of Louisville and went on to graduate from Police Academy on November 23, 1981, receiving the Commissioner's Commendation Award.

Throughout his career, Captain Berthold demonstrated exemplary dedication and outstanding leadership, working his way up

through the ranks from a sergeant in Madisonville to the Drug Enforcement Captain at DESI WEST.

He represents his State proudly as a man of honor and is an officer of tremendous depth, intellect and vision.

I honor him today because of his dignified and steadfast commitment to the Commonwealth of Kentucky, his fellow officers and the citizens of our community.

ON THE PASSING OF MY DEAR FRIEND, AMERICAN PATRIOT AND COMMUNITY LEADER, COL H. WILLIAM ''BILL'' CARD

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. ORTIZ. Madam Speaker, I rise today to honor in memoriam the dedication and outstanding leadership of COL. H. William ''Bill'' Card, who served as mayor of Harlingen, Texas, from 1987 to 1998. He passed away Sunday, July 18, 2010, in Harlingen at the age of 88.

Colonel Card, who spent more than 2 decades in selfless service as Mayor of Harlingen, championed a united front of Rio Grande Valley communities to develop a regional effort for business opportunities and economic development. He was an unsung hero of the Rio Grande Valley.

Colonel Card was the longest-serving mayor of Harlingen, where he served 4 terms as mayor of the city. During his leadership, Harlingen was named an ''All-American City.''

Colonel Card retired from the Marine Corps after 28 years of service and relocated to Harlingen in 1968 to become commander of the Marine Military Academy. In 1975, he began his career as a banker and went on to become president of the First National Bank of Harlingen.

Colonel Card is survived by his wife, Garrison, his son, Bill Card III, and his daughter, Patti Card Smith. He is preceded in death by his daughter Cheryl Card Gray.

Today, I ask that my colleagues join me in commemorating the life of Colonel Card, who served this Nation with dignity, honor, respect and admiration. He will long be remembered by the communities he cared so much for in South Texas. His family, friends and loved ones will miss him dearly—so will I.

INTRODUCTION OF THE TRANSPORTATION AND HOUSING AFFORDABILITY TRANSPARENCY ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. BLUMENAUER. Madam Speaker, today I am pleased to introduce the Transportation and Housing Affordability Transparency Act, or ''THAT Act.'' This legislation will provide homebuyers, renters, and policy makers with the information they need to make informed decisions about their housing choices.

The average family spends about half of its income on transportation and housing costs. Housing affordability has traditionally been measured as the extent to which a household's income can cover the purchase price of a home or the monthly rent. However, transportation costs can vary based on the location of a home. The cost of transportation has been growing as people move further from their jobs and community development patterns require families to drive for most of their outings. In certain auto-dependent areas, transportation costs can be very high, leaving families with less money for housing, food, healthcare, education, and other important expenses.

Transportation costs and savings are not currently taken into account in government affordability measures and standards, and information is not generally available to consumers looking to purchase or rent homes. For example, low-income housing tax credits, down payment assistance grants, and rental assistance under Section 8 of the U.S. Housing Act of 1937 are all awarded and used without regard to this transportation cost burden. At a time of increasing gas prices and the pending expiration of many of the federal subsidies that keep housing near transit affordable, it's important for consumers and decision-makers to take transportation costs into account.

This legislation requires the Secretary of Housing and Urban Development (HUD) to work with the Department of Transportation and other stakeholders to develop a transportation affordability index that measures the transportation costs associated with the location of a home. The bill requires HUD to take into consideration a number of factors that determine transportation costs, including the location and frequency of transit service, the average vehicle miles travelled in the area, and the availability of services such as grocery stores, bike lanes, community centers, and schools. HUD will be required to share this information with the general public, realtors, regional and local housing and planning agencies, states, and entities that engage in transportation demand management programs. The bill also requires HUD, where feasible, to incorporate transportation costs into its housing programs and work with other federal agencies, states, and local governments to incorporate transportation costs into their housing programs.

The information made available by this legislation will ensure transparency in housing and transportation costs for consumers, housing providers, local and regional planning agencies, and other stakeholders. It will also enable HUD, where appropriate, to incorporate transportation costs into its affordability measures and standards. Finally, it will help communities recognize the importance of providing affordable transportation and housing choices for their residents, and give them the tools they need to do so.

I hope my colleagues will join me in supporting this simple legislation to help make our families safer, healthier, and more economically secure.

HONORING THE TOWN OF MATTAWAMKEAG

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. MICHAUD. Madam Speaker, I rise today to recognize the town of Mattawamkeag, Maine as it celebrates its Sesquicentennial this month.

Mattawamkeag is the historical site of an early Native American fishing village located on the Mattawamkeag River, a tributary to the Penobscot River. The Indians once told of an ancient burial ground on the northern bank of this river, not far from the town today. Maine residents began settling the area in 1829, and it became incorporated into the state in 1860.

The citizens of this small town, currently numbering around 825 residents today, have experienced their fair share of history, both within the State of Maine and the greater United States. During the Civil War, thirty soldiers from the town left to fight for the Union; seven did not return. And in 1847, Henry David Thoreau visited and wrote about Mattawamkeag during his travels.

The town's background is also closely tied to the complex railway systems of the United States. It served as a key stop on a transcontinental railway linking Maine to the city of Saint John in New Brunswick, Canada during the late nineteenth century. The network later expanded, and Mattawamkeag became connected to the cities of Megantic in Quebec and Vancouver in British Columbia. Even today, this town plays an important role in interstate exchange, operating as the final eastern stop on the Guilford Rail System connecting Maine, New York, New Hampshire and Massachusetts.

I am pleased to share in the celebration as Mattawamkeag looks back on 150 years of rich history.

Madam Speaker, please join me in wishing all the citizens of Mattawamkeag well on this joyous occasion.

H.R. 4173, THE DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT CLARIFICATION OF INTENT WITH RESPECT TO THE NONADMITTED AND REINSURANCE REFORM ACT

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. MOORE of Kansas. Madam Speaker, as a House conferee and the chief sponsor of H.R. 2571, the Nonadmitted and Reinsurance Reform Act, that was included in the conference report for H.R. 4173, the Dodd-Frank Wall Street Reform and Consumer Protection Act, I wanted to make one important clarification of intent on the final language. The President signed the Dodd-Frank Act into law yesterday.

Section 521(a) of the Dodd-Frank Act is intended to require the broker to pay or remit all tax in a surplus lines transaction to the ''Home State'' of the insured as defined in the Act and to no other state or political subdivision of any

state. If other states are to receive a portion of the tax payment, the Act provides that the states may enter into a compact or otherwise establish procedures to allocate among the states the premium taxes paid to an insured's "Home State."

Further, it is the intention that as a result of this Act, each State adopt nationwide uniform requirements, forms, and procedures—such as an interstate compact—that provides for the reporting, payment, collection, and allocation of all premium taxes for surplus lines insurance as well as all nonadmitted insurance in the insured's "home state". Uniformity in the taxation of surplus lines and nonadmitted insurance will be of great benefit to insurance consumers, brokers and the states.

In addition, under Section 522(a) of the Dodd-Frank Act, the placement of all nonadmitted insurance, including surplus lines insurance, shall be subject solely to the statutory and regulatory requirements imposed directly by the insured's "Home State" and no other state. It is the intention that surplus lines and nonadmitted insurance transactions, particularly when the insurance covers risks in more than one state, be within the sole province of the insured's "Home State."

A TRIBUTE TO ANN G. HUTCHINSON

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. GUTHRIE. Madam Speaker, I rise today to honor Ann G. Hutchinson, who has dedicated her career to the United States and the Commonwealth of Kentucky.

On July 30, 2010, Ms. Hutchinson will retire after over 30 years of dedicated service. She has been an asset to the Fort Knox community and has distinguished herself while serving in positions of increasing responsibility at the U.S. Army Recruiting Command (USAREC.)

In her latest role as the Deputy Protocol Officer, Ms. Hutchinson provided exceptional executive services to nine commanding generals. Her outstanding reputation with so many senior leaders is based on her attention to detail and her "can-do" attitude.

Ms. Hutchinson's unique abilities to manage competing requirements while maintaining the flexibility to respond to changes are unparalleled.

I know she means so much to her colleagues. Her hard work ethic, personal sacrifice and professionalism will be an example for so many others to follow.

I ask my colleagues to join me in honoring Ann G. Hutchinson for her commitment to the U.S. Army, U.S. Army Recruiting Command, our Nation and the Commonwealth of Kentucky.

HONORING THE CITY OF SIMPSONVILLE, SOUTH CAROLINA

HON. BOB INGLIS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. INGLIS. Madam Speaker, I rise today to honor Simpsonville, South Carolina for being named one of Family Circle Magazine's "10 Best Towns to Raise a Family" in 2010. Led by Mayor Dennis Waldrop's vision, Simpsonville was picked as one of the "perfect places to raise kids" because of its "affordable homes, green spaces, blue-ribbon schools and giving spirit."

The city hosts one of the top balloon festivals in the country annually in Freedom Weekend Aloft and features the Discovery Island Waterpark, Golden Strip YMCA and a new state-of-the-art IMAX movie theater.

The proximity to the mountains, coastal beaches and revitalized downtown Greenville make Simpsonville one of the Upstate's top destination cities for a family-friendly atmosphere.

I congratulate Simpsonville and Mayor Waldrop on their continuous strides in moving the community forward.

AMBASSADOR JOHN BOLTON'S ADDRESS TO THE PRO-DEMOCRACY IRANIAN RALLY IN PARIS, JUNE 26, 2010

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. COFFMAN of Colorado. Madam Speaker, on 26 June 2010 tens of thousands of pro-democracy Iranians and hundreds of parliamentarians and dignitaries from Europe gathered in Paris (Taverny), France to express their support for the Iranian dissidents based in Camp Ashraf, as well as the uprising in Iran. Notable among prominent speakers was our former Ambassador to the United Nations, Mr. John Bolton. I believe his speech provides very important guidelines beyond partisan politics, for any American policymaker who is genuinely concerned about Tehran's nuclear threat and is looking for potential options as the solution to the Iranian problem.

AMBASSADOR JOHN BOLTON'S ADDRESS BEFORE TENS OF THOUSANDS OF IRANIANS AND HUNDREDS OF PARLIAMENTARIANS AND DIGNITARIES FROM EUROPE HELD ON 26 JUNE 2010 IN PARIS, FRANCE

Ambassador John Bolton: Thank you. Thank you very much. It's a great pleasure to be here today and to say thank you for the opportunity to address the free people of Iran. I would like you to know and all the people still inside Iran to know how many tens of millions of Americans believe that the policy of the United Sates government should be regime change in Iran.

I don't need to tell anybody here today how oppressive the regime is and the crimes it has committed against the people of Iran. This is not a government that is loyal to the people. This is a government that is loyal only to itself and keeping itself in power. What is important, I think, for the rest of the world to understand is how, in the past several years in particular, the regime has become increasingly a military dictatorship, and that this is an oppressive, in fact fascist, regime that controls Iran today.

The repression that followed last year's fraudulent June 12 presidential election was an eye opener for many people in the West and certainly in the United States. And this is because not simply that the election itself was fraudulent and not simply because of the brutality of the Pasdaran and the Bassiji against the people of Iran, but because the entire sequence of events revealed just how basic are the flaws in the current regime and just how strong is the opposition of the people of Iran to the regime itself.

I must say, speaking as an American, that I found the US reaction to the repression after the June 12 election as very disappointing. I think that the administration did not want to speak the truth about what was going on inside Iran because it was still focused on the open hand that it had extended to the Iranian regime; an open hand for negotiations particularly over the nuclear weapons program. Now, I think, anyone familiar with the regime had to know at the beginning that the open hand would be rejected and that there would be no negotiation over the nuclear program and certainly no negotiations over the freedom of the Iranian people. It remains to this day a disappointment that the administration in Washington has not realized that yet.

But I do want to assure you that in the United States, among the people, in the Congress, in the media, and in academic circles, there is an increasing realization that the regime in Tehran is not a regime that we can negotiate with and that the open hand policy has failed.

This meeting today is a signal both to the people still trapped inside Iran and the democratic countries all around the world that the people of Iran seek to have control over their own government and to participate in democratic elections. It is a tragedy for Iran that its best friend and closest ally in the world is North Korea; North Korea, which has its own nuclear weapons, which pursues ballistic missile technology that threatens peace and security not only in Asia but in the Middle East as well, which, financed by the regime in Tehran, was building a nuclear reactor in Syria, and which partners with Iran on the nuclear program. It is a regime that is the most dictatorial on Earth today; North Korea is a prison camp. North Korea's people are on the verge of starving; and it still nonetheless pursues nuclear weapons and works with the government of Iran. This is a huge tragedy for the people of Iran. But what it reflects is the isolation of the regime from civilized governments all around the world. It is a fitting tribute to the free people of Iran that so many parliamentarians, from Europe, Canada, the United States, and around the world have begun to see the impact of the regime on the people of Iran.

It also has to be troubling that the regime's closest large friends around the world are Russia and China; China which has never had on the mainland true democratic institutions; and Russia which passed from authoritarianism into a period of democracy and may be passing right back into authoritarianism. This is not something that a free Iran would tolerate.

Moreover, the regime's support for international terrorism—some have described it as the central banker for international terrorism, supporting terrorist groups all around the world—have helped contribute to the isolation of Iran and the increasing difficulty imposed on the Iranian people. Now, I think that the United States' policy of regime change should be a very active policy. I think the first thing that we need to be clear on is that the United States will not stand in the way of legitimate opposition groups of Iranians who seek regime change in Iran.

As all of you know, in many European countries, the designation of the MEK as a terrorist organization has been lifted. That has not happened in the United States yet. But there are many members of Congress who have pressed Secretary of State, Hillary Clinton, to have the State Department reevaluate that designation which after all was

first imposed in 1997 during the Clinton administration, many say as a favor to the regime in Tehran. That obviously has not produced anything in response. And I do think that it is incumbent on this administration to make it clear if it has evidence to bring it forward and if it does not have evidence to remove the designation.

U.S. opposition to international terrorism is unwavering but it is an opposition that has to be based on facts and not ideology and that is what we need to see. In the short term I believe the United States has a responsibility for the safety of people at Camp Ashraf. At an absolute minimum, the US presence inside Ashraf has to be continued and perhaps expanded back to something like its previous level. I think the UN mission inside Ashraf has to be extended and I think we need to make it clear to the government of Iraq that we will not tolerate interference in the camp and certainly not the kind of assaults that have occurred on the inhabitants of the camp before. This is again something, I think, of a very high priority in the American Congress.

I think going beyond simply getting out of the way of legitimate democratic opposition to the regime in Tehran that the United States should be prepared to provide assistance to the opposition; resources and information continuing and expanding, for example, the work of Radio Farda, and other ways to get information to the people still inside Iran. I think the utility of this kind of support has been demonstrated throughout history, such as Solidarity in Poland. Obviously we do not want to do anything that would give the regime the ability to say that the opposition was anything other than fully independent. But, I think our support and the support of other western democracies should go beyond the merely rhetorical.

In recent weeks we have seen the UN Security Council impose the fourth set of sanctions against the regime because of its nuclear weapons program. Sanctions are useful to put pressure on the regime and will bring us closer to the day when the regime will fall and there will actually be a democratic Iran. But I do not think that the sanctions unfortunately will be enough to stop the regime's continued pursuit of nuclear weapons. And I worry very much that the Obama administration and our western European friends believe that there is now nothing more that can be done to prevent the regime and the Revolutionary Guards from obtaining nuclear weapons. Their fallback position is that the mullahs and the Revolutionary Guard can be contained and deterred once they achieve a nuclear weapons capability. I think this is a huge mistake for the region and the world but mostly for the people of Iran. The fact is that once this regime gets nuclear weapons it will be immeasurably strengthened and the power of Revolutionary Guards, already considerable, will be strengthened even further. This regime with nuclear weapons is not simply an external threat to its neighbors and stability in the region and the world as a whole, but an even greater threat to the people of Iran. It is the trump card for the regime to stay in power.

I think it is very significant here that the position of the democratic opposition is that it does not want an Iran with nuclear weapons. Commentators in the West are continuously telling us that opposition to the nuclear program helps bring the people of Iran into closer support for the regime in Tehran. We know that that is simply not true and I think it is very important that in Maryam Rajavi's platform for the future Iran it says in point 10 very explicitly, (let me quote it so that the media can hear it, this is Mrs. Rajavi's own platform), ''We want the free Iran of tomorrow to be devoid of nuclear weapons and weapons of mass destruction.'' Mrs. Rajavi's position is exactly the right position, because an Iran with nuclear weapons will be a less secure Iran. If this regime gets nuclear weapons, you can count on Saudi Arabia, Egypt, Turkey and perhaps others getting nuclear weapons. So in a very brief period of time, five to ten years, you can have a multi-polar nuclear Middle East that will make everybody less secure and particularly Iran. This is why it is so important that we support the democratic opposition in Iran to see regime change at the earliest possible date.

Now, some people in the West, although they do not like to put it this explicitly, basically do not think Iran is ready for democracy. I think they are flatly wrong. Iran is more than ready for democracy. This is something that we feel very deeply about in the United Sates.

I would offer to all of you the great insight of our President Abraham Lincoln, who gave us the inspiration that I hope will be of assistance to you, that what we want for the people of Iran is what Lincoln wanted for the people of the United States: government of the people, by the people and for the people.

APPROVING THE RENEWAL OF IMPORT RESTRICTIONS CONTAINED IN THE BURMESE FREEDOM AND DEMOCRACY ACT (H.J. RES. 83)

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. KING of New York. Madam Speaker, today I rise in support of H.J. Res. 83, a resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act (P.L. 108–61). I am proud to have once again introduced this legislation this year with the gentleman from New York, Mr. CROWLEY.

In 2003 Congress passed the Burmese Freedom & Democracy Act, legislation that I co-authored with my friend, the late Tom Lantos. President Bush signed this bill into law and we have reauthorized these import restrictions every year since. The legislation bans imports from Burma and the issuance of visas to those officials affiliated with the State Peace and Development Council (SPDC), the military junta that rules Burma and brutally represses its people. This law also bans U.S. financial transactions that involve individuals or entities connected with the SPDC.

These sanctions are critically important to keeping the pressure on the Burmese junta. The government continues to have one of the worst human rights record in the world and routinely violates the rights of Burmese citizens, including the systematic use of rape as a weapon of war, extrajudicial killings, arbitrary arrests and detention, torture, as well as slave and child labor. The Burmese regime has destroyed more than 3,500 ethnic villages, displaced approximately 2,000,000 Burmese people, more than 500,000 of which are internally displaced, and arrested approximately 2,100 individuals for expressing critical opinions of the government. And it continues to detain Aung San Suu Kyi, the head of the National League for Democracy and the democratically elected leader of Burma.

We must continue to stand with the Burmese people and expose the despicable and reprehensible actions of the SPDC. Sanctions are critical to putting pressure on the junta. In 2008, Congress passed and President Bush signed into law Tom Lantos Block Burmese JADE Act (P.L. 110–286) which bans the importation of Burmese gems into the United States and freezes the assets of Burmese political and military leaders. But we still need others to follow ours and the EU's lead. The Association of Southeast Asian Nations (ASEAN) and the United Nations Security Council (UNSC) must impose multilateral sanctions against Burma's military regime including a complete arms embargo.

Finally, it is my hope that the Obama Administration promptly implements all the provisions of the Tom Lantos Block Burmese JADE Act, appoints a Special Coordinator for Burma, and supports the establishment of UNSC Commission of Inquiry on Burma.

I urge adoption of the resolution.

CONGRATULATING DR. WILLIE WILSON ON 23 YEARS WITH SINGSATION

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. DAVIS of Illinois. Madam Speaker, Dr. Willie Wilson is a successful entrepreneur, philanthropist and national gospel recording artist. He was born in Gilbert, Louisiana and overcame significant challenges to become a successful businessman and humanitarian. Every Sunday he can be found singing at someone's church and donating thousands of dollars to assist the kingdom of God.

Dr. Wilson owned five McDonald's Restaurants and received numerous awards for his commitment to the community. In 1987, Dr. Wilson founded Willie Wilson Productions, a television production company where he produced the nationally syndicated Gospel Show Singsation. Dr. Wilson's television show Singsation is viewed by more than 40 million homes nationally. He is the first African American to have a nationally syndicated Gospel show.

Dr. Wilson produced five national recordings entitled: I'm So Grateful, Lord Don't Let Me Fail, I'll Fly Away, Just a Closer Walk With Thee, and Through it All. He recently penned a book about his life story entitled ''What Shall I Do Next, When I Don't Know Next What To Do?''.

Dr. Wilson holds several Honorary Doctorate Degrees including and Honorary Doctorate in Divinity from Mt. Carmel Theological Seminary, a Doctor of Humane letters from Chicago Baptist Institute, and an Honorary Doctorate in Humanitarism from Swisher Bible College.

Dr. Wilson started Omar Inc., in 1997, a company that is the seventh largest black-owned company in Illinois and ranks 96 nationally on the list compiled by Black Enterprise Magazine. The company grossed more than $50 million last year.

In 2009 Dr. Wilson acquired Oak Gloves Manufacturing Plant in Tullahoma, Tennessee making him the first and only African American manufacturer of medical grade gloves in North America. Dr. Wilson's story reflects the American Dream—that hard work and persistence wins every time.

I urge my colleagues and citizens of the Seventh Congressional District to join with me in congratulating Dr. Wilson on 23 years of providing soul energizing, gospel music to more than 40 million homes around the nation.

NATIONAL COMMISSION ON CHILDREN AND DISASTERS REAUTHORIZATION ACT OF 2010

SPEECH OF

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 2010

Mr. OBERSTAR. Madam Speaker, I submit the attached exchange of letters on H.R. 5266, the "National Commission on Children and Disasters Reauthorization Act of 2010" between the Committee on Transportation and Infrastructure and the Committee on Homeland Security.

COMMITTEE ON HOMELAND SECURITY,
Washington, DC, July 20, 2010.

Hon. JAMES L. OBERSTAR,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR CHAIRMAN OBERSTAR: I write to you regarding H.R. 5266, the ''National Commission on Children and Disasters Reauthorization Act of 2010.''

H.R. 5266 contains provisions that fall within the jurisdiction of the Committee on Homeland Security. I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner and, accordingly, I will not seek a sequential referral of the bill. However, agreeing to waive consideration of this bill should not be construed as the Committee on Homeland Security waiving, altering, or otherwise affecting its jurisdiction over subject matters contained in the bill which fall within its Rule X jurisdiction.

Further, I request your support for the appointment of an appropriate number of Members of the Committee on Homeland Security to be named as conferees during any House-Senate conference convened on H.R. 5266 or similar legislation. I also ask that a copy of this letter and your response be included in the Congressional Record during floor consideration of this bill.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, July 20, 2010.

Hon. BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security, Washington, DC.

DEAR CHAIRMAN THOMPSON: I write to you regarding H.R. 5266, the ''National Commission on Children and Disasters Reauthorization Act of 2010''.

I agree that provisions in H.R. 5266 are of jurisdictional interest to the Committee on Homeland Security. I acknowledge that by forgoing a sequential referral, your Committee is not relinquishing its jurisdiction and I will fully support your request to be represented in a House-Senate conference on those provisions over which the Committee on Homeland Security has jurisdiction in H.R. 5266.

This exchange of letters will be inserted in the Congressional Record as part of the consideration of H.R. 5266 in the House.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

JAMES L. OBERSTAR, M.C.,
Chairman.

HONORING THE MORRIS COUNTY 4–H FAIR

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. FRELINGHUYSEN. Madam Speaker, I rise today to honor the Morris County 4–H Fair, celebrating its 40th anniversary this year.

The 4–H organization began at the start of the 20th century with a group of individuals who wanted to promote the idea of practical, "hands-on" learning. In a society where young people were beginning to gravitate toward city living, this group felt the desire to create an organization focused on country life. Ever since, their ideas have grown from a need to initiate new agricultural technology and techniques on the nation's farms to creating a safe and fun environment where any young person can be involved.

4–H officially came to New Jersey in 1915. The first Morris County 4–H boys were involved with Corn Clubs. Girls worked in Tomato and Canning Clubs. It was World War I that gave them a practical purpose. Clubs adopted the slogan "Feed A Fighter" by raising livestock and growing vegetables to help feed United States soldiers.

Morris County 4–H, as we know it today, began in the early 1940s adopting to "pledge my Head to clearer thinking, my Heart to greater loyalty, my Hands to larger service, and my Health to better living, for my club, my community, my country, and my world." The club began with boys and girls participating in a variety of project areas ranging from traditional livestock and home economics to wood working, conservation and fashion. Today, Morris County 4–H members learn leadership, citizenship and life skills through a variety of projects related to science to healthy living.

The annual 4–H Fair has filled the gap left by the disappearance of many of the old country fairs. It began as a few tables in the middle of Rockaway Town Square Mall, and with borrowed tents and personal dedication, evolved into a modern-day country fair with 25,000 visitors. Today, area residents can see the accomplishments of the Morris County 4–H youth first hand as they exhibit their handiwork in everything from food and nutrition to model cars and rockets. In a world overrun by videogames and television, 4H teaches the youth of our community the value of hard work by creating contests and rewards for each club. The 4–H Fair provides the outlet for these young people to display their projects

Madam Speaker, I ask you and my colleagues to join me in congratulating the Morris County 4–H Fair as they celebrate 40 years of dedicated years of service to the youth of Morris County!

HONORING ROBERT FOZIO

HON. BETTY SUTTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Ms. SUTTON. Madam Speaker, I rise today with a heavy heart to pay tribute to Robert Fozio, who passed away on April 17, 2010 after a courageous battle with cancer. Robert played a very active role in the Northeast Ohio community and that is how I became acquainted with him.

Robert was a bricklayer, an avid outdoorsman, devoted husband, loving father, grandfather, and brother. Robert always taught his family that wherever you are, to be 100% there. He also emphasized the importance of never forgetting who you are and where you came from. Whether it was through his longstanding membership with Bricklayers Local 5, the Northern Ohio Administrative District Council, the International Union of Bricklayers, the Allied Craftworkers, or his time serving with the U.S. Navy in Vietnam, Robert was a fixture in the community.

At the young age of 17, Robert received special permission from his mother to join the U.S. Navy so that he could bring in additional income for his family. Robert joined the Local 5 in 1963 shortly after returning from his naval tour in Vietnam. Robert quickly ascended through the ranks in the allied crafts and was a superintendent and foreman for the majority of his career. He was a brilliant man, which was demonstrated by his own professional success, as well as his efforts to improve the lives of other tradesmen.

In 1998, Robert was named interim director of the District Council and was elected full-time director in 2001 until his retirement in 2009. His tireless work for the industry was rewarded when the Robert A. Fozio Regional Training Center for all craft apprentices and journeyman upgrading was opened in May 2005. The Training Center was a model in innovation, training all facets of the allied crafts under one roof, which provided a higher standard and level of expectation for contractors in the area. This center came to be known as the best training center in the United States for apprentices in allied crafts and for journeyman upgrading.

In his free time, Robert was an avid hunter and fisherman and spent several years as a professional archer. In recent years, he developed a love for sporting clays and spent his free time shooting with friends and family. In fact, Robert went on a hunting expedition in 2008 with the Theodore Roosevelt Conservation Society and appeared in a video shooting white-tailed deer, which still appears on many outdoors programs.

He was a respected and beloved member of the greater Brunswick community, and his presence will be remembered by the entire area. His legacy of community, friendship, family, and hard work will continue for many years.

Robert leaves behind not only those whom he served, but also a loving family—his wife Dorothy, his daughters Tiffany Yohman and Theresa Berthold, his sisters Rose Marie Friend, Marilyn Seltzer, and Carolyne Fozio, his brothers Donald and Patrick Fozio, his grandchildren, as well as many other close family members and friends. Robert will truly

be missed. We will always remember Robert for his commitment to his community, his caring for his union brothers and sisters, and his dedication to his family. And I will remember the central quotation by which Robert lived his life: ''Plan your work and work your plan.''

On behalf of the people of Ohio's 13th District, I want to express my deepest sympathies to the Fozio family. They have lost a great husband, father, and grandfather who passed away much too soon and we have lost a true friend and committed member of our community.

HOMELAND SECURITY SCIENCE AND TECHNOLOGY AUTHORIZATION ACT OF 2010

SPEECH OF

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 2010

Mr. KING of New York. Mr. Speaker, I rise in support of H.R. 4842, the Homeland Security Science and Technology Authorization Act, which will authorize needed funds for important activities and programs within the Department of Homeland Security to help make our country more secure.

This bill is the product of extensive bipartisan work dating back to last summer, which includes input from numerous stakeholder meetings, the Department of Homeland Security, and the House Committee on Science and Technology.

I want to recognize the work of Chairwoman CLARKE—the author of the bill—and Ranking Member LUNGREN, whose Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology marked up this bill on March 16 and reported the bill favorably by voice vote.

The Full Committee then considered this bill and reported it unanimously by a vote of 26–0 on April 15, 2010.

We appreciate the Majority working with us in a bipartisan way, and including a number of provisions of importance to Republican Members.

These provisions include the establishment of research initiatives to bolster border and maritime security, development of tools to enhance resilience to terrorist attacks and other incidents, especially in rural communities, research and testing of technologies to help secure the border and ensure the safety of our underground mass transit systems, and an assessment of how useful rapid screening tools for influenza and other biological threats would be at our border ports of entry.

I also want to highlight a very important provision in this bill that is critical both to the security of New York City and surrounding areas as well as to our Nation as a whole, which is the authorization and expansion of the Securing the Cities program.

Securing the Cities is a vital homeland security program to help prevent terrorist attacks in major cities using nuclear or radiological weapons, like a dirty bomb. The program has enabled the establishment of a networked ring of radiological detectors on highways, toll plazas, bridges, tunnels, and waterways leading into and out of New York City, which as we have seen, is the top terror target for al-Qaeda and affiliated terrorist organizations.

Securing the Cities is both a regional capability and a national asset. The program provides the operational capability to interdict a radiological or nuclear weapon in one city so that it cannot be delivered to and detonated in another.

Recent attacks on New York City came from other regions: Najibullah Zazi traveled from Denver to New York City in a plot to possibly bomb the subway system and Faisal Shahzad traveled from Connecticut to New York and attempted to detonate a car bomb in Times Square.

The detonation of a nuclear or dirty bomb in the New York tri-state area, or in any major metropolitan area, would inflict serious damages to our country's economy, much like the 9/11 attacks did.

Securing the Cities is a successful program that can and should be replicated in other areas around the country. That is why language in this bill would expand the program to at least two additional high-risk cities where these capabilities are most needed, leveraging what we have already learned about building defenses against nuclear and radiological weapons in New York to erect similar security perimeters in and around other cities.

Securing the Cities is an excellent example of the type of coordination between Federal, State, and local partners that Congress has demanded and the Department has worked to facilitate. We absolutely must enhance our nuclear detection architecture in a world where the threat of nuclear terrorism is on the rise.

The House has voted in favor of the Securing the Cities program on four separate occasions. These include last year, when the full House supported similar language when it passed H.R. 2611 under Suspension of the Rules by voice vote on January 20, 2010. The House again voiced strong bipartisan support when it adopted an amendment Representative Clarke and I offered in June 2009 to H.R. 2892, the Fiscal Year 2010 Department of Homeland Security Appropriations Act, to restore funding for this vital program.

House passage of this bill will reaffirm the continuing bipartisan support for this program in the House and send a strong signal to the United States Senate to pass legislation to authorize Securing the Cities prior to adjournment of the 111th Congress.

I want to remind our colleagues that the threat of nuclear or radiological terrorism is real. The WMD Commission warned in 2008 that an attack using a weapon of mass destruction was likely to happen somewhere in the world by 2013. Commissioners Graham and Talent repeated this warning before the Committee on Homeland Security on April 21 of this year.

The President's National Security Strategy that was released earlier this year concluded that ''the American People face no greater or more urgent danger than a terrorist attack with a nuclear weapon.''

The potential of nuclear or radiological terrorism is a nightmare scenario that we must guard against with every available capability and resource. Authorizing and expanding Securing the Cities will help better protect our country from such danger.

Let me close by saying while I am pleased we are considering this bill today, I believe the House should be considering a comprehensive authorization bill for the Department. The House has not done so since 2007, with one of the reasons being too many committees and subcommittees have jurisdiction over homeland security issues.

The 9/11 Commission recommended in 2004 that ''Congress should create a single, principal point of oversight and review for homeland security.'' The current jurisdictional web of congressional oversight of the Department of Homeland Security results in conflicting guidance to the Department and is a serious drain on its time and resources.

The Chairman and Vice Chairman of the 9/11 Commission—Governor Kean and Congressman Hamilton—have testified this jurisdictional maze is unworkable and could make our country less safe.

I hope that we can streamline congressional jurisdiction moving forward so that Congress can enact a comprehensive authorization bill for the Department, which has not happened since its creation in 2003. The failure to do so jeopardizes our ability to ensure that our nation's homeland security policies are as robust as they need to be to meet the evolving nature of terrorist threats.

I again want to thank Chairman THOMPSON, Congresswoman CLARKE, and my friend from California, Mr. LUNGREN, for crafting a very good bill that will help improve our homeland security capabilities.

I urge my colleagues to support passage of H.R. 4842.

IN HONOR AND REMEMBRANCE OF CLEVELAND POLICE OFFICER EMIL CIELEC

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. KUCINICH. Madam Speaker, I rise today in honor and remembrance of Cleveland Police Officer Emil Cielec, a devoted husband, father, grandfather, friend to many and lifelong guardian and protector of the people of the City of Cleveland. Officer Cielec retired from the Cleveland Police Department less than two years ago. He left behind a legacy that will forever reflect excellence, honesty and bravery.

Mr. Cielec was raised by parents who came to America from Poland in search of a better life for their family. Growing up on the west side of Cleveland as one of eleven children, he learned early on the significance of hard work and community. He lived his life in dedication to his family and to his Roman Catholic faith. Mr. Cielec graduated from Lincoln High School and then served our nation in the United States Army. He was working on the production line at General Motors when he learned that the City of Cleveland Police Department was hiring. He immediately applied and diligently studied for the test. In 1957, Mr. Cielec was sworn in as a Cleveland Police officer and served with honor until his retirement in 2008.

Officer Cielec had a stellar reputation as an officer who treated all people with dignity, fairness, and respect. He was tough, yet compassionate and honorable. During his tenure with the Cleveland Police Department, Officer Cielec saw twenty-two Police Chiefs come and go. He weathered many storms—on the streets and in City Hall. His reputation was

known throughout the department, and he was often approached by other officers seeking his insight, wisdom and expertise.

Beyond the job, his family was his foundation and his greatest love. His devotion to his wife, Dorothy, to his sons, Kevin and Alan, to his daughter Sandy, and to his grandchildren was unconditional and unwavering.

Madam Speaker and colleagues, please join me in honor and remembrance of Police Officer Emil Cielec, who lived life with great love and devotion to his family and to those he served. Officer Cielec's work made our Cleveland community a better place to live. He will be remembered and honored forever.

CONGRATULATING THE BOY SCOUTS OF AMERICA ON THEIR 100TH ANNIVERSARY

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. SESSIONS. Madam Speaker, 2010 marks the 100th Anniversary of the Boy Scouts of America, the largest youth organization in the United States. Since 1910, more than 111,000,000 youth have participated in Scouting programs focused on character development and leadership training.

This Sunday, July 25th, the Boy Scouts will kick-off their 100th Anniversary celebrations with a Grand Centennial Parade. Not since the very first Jamboree in 1937 has there been a Scout-specific parade in Washington, DC. There will be floats, marching bands, vintage vehicles, great entertainment, flags, fun and so much more. I am proud to join my father, former FBI Director Judge William S. Sessions, as a division marshal in this historic parade.

From July 26th to August 4th, the National Boy Scout Jamboree will be hosted at Fort A.P. Hill just south of Washington, DC. The Jamboree will host over 43,000 Scouts and adult leaders visiting from across the globe. This is the last year the Boy Scouts will celebrate its Jamboree at Fort A.P. Hill having procured a new high-adventure base, The Summit Bechtel Family National Scout Reserve, near Beckley, West Virginia. This new base covers 10,600 acres and is located adjacent to 70,000 acres of National Park Service land, offering world-class outdoor opportunities when it opens in 2013.

On Tuesday, July 27th, the Postal Service will host the first day of sale for a new 44 cent commemorative stamp entitled ''Celebrate Scouting,'' made possible through bipartisan congressional support of over 300 Representatives and Senators. The stamp, unveiled in November of last year, will be dedicated by the Boy Scouts at the National Jamboree on Tuesday.

Additionally, the National Postal Museum will be hosting a Congressional Stamp Exhibit at the Rayburn House Office Building from 10 a.m. to 5 p.m. on July 28 and from 9 a.m. to 5 p.m. on July 29/30. In collaboration with the Boy Scouts of America, I will be hosting an exhibit on the ''2010 Celebrate Scouting'' stamp.

As an additional token of celebration, I was proud to have introduced H.R. 5872, the Boy Scouts of American Centennial Commemorative Coin Act, which was signed into law by President George W. Bush on October 8, 2008. In accordance with the legislation, the United States Mint produced 350,000 Silver Dollar coins in celebration of the Boy Scouts centennial anniversary. Each having a $10 surcharge equally matched by private funds, this bill raised $7 million for Scouts in hard to serve areas. After only 12 short weeks these coins sold out, a remarkable success for spreading the joys of Scouting.

This Friday, I am proud to host 11 troops made up of over 500 Scouts from the Dallas area to Washington, DC. I have the pleasure of meeting them on their historic journey to the Jamboree, showing them through the Capitol, and providing them insight into the government of our nation. In this historic year, I ask everyone to join in the celebration of this monumental occasion, and congratulate the Boy Scouts of America on their centennial anniversary.

RECOGNIZING THE LIFE AND PUBLIC SERVICE OF ANTONIO L. ''TONY'' NUNES, SR.

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. NUNES. Madam Speaker, I rise today to recognize the life and public service of Antonio L. ''Tony'' Nunes, Sr., a life-long farmer and community leader.

Tony was born on August 16, 1915 in Rio Vista, California to Antonio and Mary Nunes. He graduated Adult School and obtained his high school diploma in 1983, 50 years after initially leaving high school due to the death of his father. Tony went into the dairy business with his brother Joe in 1943 in Pixley, California. His sons Tony, Jr. and Patrick entered the Nunes Brother Dairy Business in 1976. Tony retired in 1988 and moved to Tulare.

In addition to running the dairy, Tony was an active member of the community. He was on the Tulare District Hospital Foundation Board, a lifetime member of the Tulare Historical Society, a World Ag Expo volunteer, part of the Tulare County Fair Board for over 32 years, Tulare County Farmer of the Year in 1968, and Tulare Dairy Family of the Year in 1992. He was also an active member of the Roon Kiwanis Club, Tulare Cabrillo Civic Club, Mosquito Board, California Poling Review Board, and the Tulare City Planning Commission.

Tony loved life and traveled with his wife, Mary, to many parts of the world. He is survived by his wife of 72 years, six children, 14 grandchildren, and 17 great grand-children.

I knew Tony personally. He was a dedicated dairy farmer, and had a positive impact on all who knew him. His values and commitment to agriculture in the San Joaquin Valley will live on through his family and friends, and in the community he nobly served.

JOYCE ROGERS POST OFFICE BUILDING

SPEECH OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 2010

Mr. DINGELL. Mr. Speaker, I rise in support of H.R. 5341, legislation I have introduced on behalf of my friend and colleague from Michigan, Congressman MIKE ROGERS (MI–08). The bill would name the postal facility on Orndorff Drive in Brighton Michigan, the ''Joyce Rogers Post Office Building.''

Joyce Rogers, the late mother of Congressman MIKE ROGERS, passed away at her Brighton, Michigan home on November 4, 2009 at the age of 78.

Joyce Rogers was a long-time Brighton resident and a tireless public servant, devoting much of her time to the betterment and economic development of the Brighton community. As executive director of the Greater Brighton Area Chamber of Commerce, Joyce Rogers played an integral role in building the business organization into the area's most important political and business networking organization. Through her efforts, Brighton was transformed into a thriving business community, attracting new residents and customers to the area. In addition to being a small business advocate, Joyce Rogers always remembered her role as a leader, taking time to serve her community by acting as a mentor to Brighton women. She has left a lasting impression on the Brighton business community and imparted on her community the importance of public service.

Mr. Speaker, the Michigan delegation has thrown its support behind Congressman ROGERS. Every member of the delegation is an original cosponsor of H.R. 5341. I urge the rest of my House colleagues to show their support for Congressman ROGERS, whose mother accomplished much, both in the public sphere and in her private life as a devoted wife of 57 years and mother of three. I ask my colleagues to join me in supporting H.R. 5341.

TRIBUTE TO SENATOR PAUL COVERDELL

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. GINGREY of Georgia. Madam Speaker, I rise today to commemorate the late Paul Coverdell, the former United States Senator from Georgia, as Sunday marked the 10th anniversary of his death. Senator Coverdell was known to be a fair and honest statesman, and I always admired him for those traits along with his reputation for being a voice of reason in the Senate. Many of my colleagues from Georgia say that he wasn't a man of many words—but he always meant what he said and followed up on his promises.

Senator Coverdell was accomplished in his trade on many different levels. Before coming to the U.S. Senate, Paul spent 19 years representing the best interests of Georgians in the State Senate, where he served as the Minority Leader, and as the Chairman of the

Georgia GOP. It was during this time that Paul met and formed a friendship with then-Governor George H. W. Bush—who would later appoint Coverdell to serve as the Peace Corps Director when he became President.

In 1992, Coverdell was elected to the U.S. Senate, where he was influential on many different committees. Under the slogan ''Coverdell Works,'' Paul became the first Republican from Georgia ever to be re-elected to the U.S. Senate. In his second term as Senator, he created the Coverdell Education Savings Accounts, also known as the ''Coverdell Plans.'' These accounts have allowed millions of students to save money and then withdraw it later—tax free—in order to fund their college educations.

Senator Coverdell left a lasting impression on both the State of Georgia and the Nation—and I am honored to have known and worked with him. He understood the importance of compromise, and was very well respected and liked by people of all political persuasions. We miss him to this day, and my thoughts and prayers are with Senator Coverdell's wife Nancy this week.

A TRIBUTE TO CHARLES E. KRUSE

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. SKELTON. Madam Speaker, the United States is blessed in many ways, but the ingenuity, patriotism, and character of the people who make up the fabric of our country are the greatest of our strengths. The characteristics of our people—the values we learn from our fathers, mothers, grandparents, and siblings—help to define American leadership. Outstanding American leaders walk among us each day.

One such American leader is the current president of the Missouri Farm Bureau Federation, Missouri National Guard Brigadier General (Retired) Charlie Kruse, who with his wife Pam have become dear friends of mine through the years. I learned this week that Charlie plans to retire from the Farm Bureau after serving as its president since 1992. While his retirement will be a loss to the Farm Bureau family and to those of us in Congress who work with him, I know that Charlie and Pam will continue serving the people of Missouri and the farmers and military personnel who call the Show-Me State home.

Charlie is a native of Dexter, Missouri, located in the southeastern portion of the state. He is an Eagle Scout who earned that rank in 1959 and then went on to graduate in 1963 from Dexter High School. Charlie and Pam continue to farm in Dexter.

Charlie graduated in 1967 from Arkansas State University with a degree in agronomy and graduated in 1973 with a Masters of Science in Agronomy from Missouri University. As a distinguished graduate from Mizzou, I know Charlie must have been thrilled when in 1983, Missouri Governor Kit Bond appointed him to the University of Missouri Board of Curators.

In 1985, Missouri Governor John Ashcroft honored Charlie by appointing him to his cabinet as Missouri Director of Agriculture. In 1990, he became the only Missourian to serve on President George H. W. Bush's Council on Rural America and was appointed to the Intergovernmental Advisory Committee of U.S. Trade Representative Carla A. Hills.

In 1991, Charlie became executive vice president of the North American Equipment Dealers Association but resigned that post in August 1992 to seek the presidency of the Missouri Farm Bureau Federation. Charlie was elected president of the Missouri Farm Bureau that year.

During his tenure as Missouri Farm Bureau president, Charlie has been a state and national leader in agricultural policy making and has well represented the interests of Show-Me State farmers during Congressional farm bill debates. He has served as a member of the Executive Committee of the U.S. Meat Export Federation; the Commission on 21st Century Production Agriculture; the Agricultural Technical Advisory Committee for Trade in Grains, Feed, and Oilseeds; the Missouri State Government Review Commission; the Missouri Plant Biotechnology Advisory Committee; and President George W. Bush's Advisory Committee for Trade Policy and Negotiations. Charlie has also served as chairman of the American Farm Bureau's Task Force on the U.S. Livestock Industry; chairman of the American Farm Bureau's Trade Advisory Committee; and a member of the board of directors of the Federal Agricultural Mortgage Corporation (FARMER MAC).

Charlie's agricultural career has been paralleled by a career in military uniform. In 1967, Charlie enlisted in the Missouri Army National Guard as an infantryman. He worked his way through the ranks from Private to Brigadier General. As a general officer in the Missouri Army National Guard, Charlie served as Assistant Adjutant General of Missouri. Charlie retired from the Army in 1993 after 26 years of distinguished service. We owe him and his family a debt of gratitude for his military service.

Because of his outstanding leadership, Charlie holds many awards and honors. But, despite these accolades, I expect Charlie's top honor is being a husband and a father.

Madam Speaker, I wish Charlie, Pam, and their family all the best as they transition into a new chapter of life. I know my colleagues in the House will join me in expressing a debt of gratitude to them.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. COFFMAN of Colorado. Madam Speaker, today our national debt is $13,237,494,446,894.52.

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 $2,554,068,701.72 so far this Congress.

This debt and its interest payments we are passing to our children and all future Americans.

INTRODUCTION OF LEGISLATION TO ENSURE RISK ASSESSMENT AND EMERGENCY RESPONSE PREPAREDNESS FOR OFFSHORE DRILLING

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. SARBANES. Madam Speaker, the BP Deepwater Horizon disaster is a terrible reminder of the inherent safety, environmental, and economic risks associated with offshore drilling. This tragedy claimed the lives of 11 people and released millions of gallons of crude oil into the Gulf of Mexico, forcing people out of work, devastating beaches and fisheries for years to come, and impacting our food supply.

BP's so-called response plan to deal with such a disaster was a farce: it listed a wildlife expert that had been deceased since 2005 and said that sensitive biological resources in the Gulf included walruses, sea otters, sea lions and seals, none of which actually live there. BP also stated that it could handle a worst case oil discharge scenario 10 times the size of the Deepwater Horizon disaster.

These glaring flaws in its response plan make it abundantly clear that BP did not take the permitting process seriously. There was virtually no thought or time put into developing these plans and certainly no accountability.

Today I am introducing legislation to ensure that risk assessment and emergency response preparedness for offshore drilling are more than an exercise in pushing paper. My legislation would require the chief executive officer of each offshore drilling and production operation under the Outer Continental Shelf Lands Act to annually certify (1) the demonstrated capability of the operation's exploration and production plans to respond immediately and effectively to the worst-case oil spill in real-world conditions; and (2) that each plan, to their knowledge, is an accurate and effective response to a worst-case oil spill in real-world conditions, under risk of personal civil penalties.

Ever since the BP Deepwater Horizon well began spewing oil into the Gulf of Mexico, executives from BP have repeatedly excused their inability to seal the well by describing the difficult circumstances in which they are operating. I am willing to acknowledge that, because the well is 5,000 feet below the surface, effectively stopping the flow of oil is a technological challenge. But I believe these are all things that should have been considered before BP began drilling the well. And I believe that if company executives are accountable for the content of their proposals to address these safety concerns, one of two things will happen. Either they will ensure that they do have an effective and realistic response capability to an oil spill. Or they will not drill the well.

This tragedy is a game-changing event. We must reevaluate our policy on offshore drilling emergency response preparedness and bring accountability to risk assessment and the planning process. This legislation would go a long way toward ensuring our offshore drilling operations have thoughtful, accurate, and useful response plans.

Offshore drilling operations, no matter how technologically advanced, can never completely eliminate the risk of a major disaster

but it is incumbent upon us to make sure these companies have a plan to respond when disaster does strike.

I hope my colleagues will support this simple but overdue legislation.

TRIBUTE TO CHARLES KING PICKETT

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. BONNER. Madam Speaker, I rise to honor the memory of a longtime Mobile resident, and a very special friend, Charles King Pickett, who passed away at the age of 74 on March 4, 2010.

King, as he was affectionately known to his family and many friends, was loved by everyone who knew him. He never met a stranger and always had a kind word for others.

He served America with uncommon dedication as a paratrooper with the U.S. Army's 82nd Airborne Division and in the U.S. Air Force Reserve.

The founder of Pickett and Adams Insurance Agency in Mobile, King shepherded his very successful business for more than four decades before retiring in 2003.

An active member of the community, King Pickett helped launch the Port City Pacers and led by example, jogging over 30,000 miles during his lifetime.

Harkening back to his Army paratrooper days, he also enjoyed recreational skydiving, racking up 115 jumps, including one on his 70th birthday.

He was a strong supporter of Mobile's Mardi Gras and was an active member of both the Knights of Revelry and the Comic Cowboys. Additionally, King was very involved in the Cellular South 1st and 10 Club, Mobile's Senior Bowl football game and numerous other community events such as the American Cancer Society's Chili Cook-Off.

Madam Speaker, Joseph Kennedy once said ''The measure of a man's success in life is not the money he's made . . . it's the kind of family he has raised.''

King was deeply loved by his son, Dr. Taylor King Pickett, his daughter, Eliska Pickett Morgan, my deputy chief of staff and district director, as well as his wonderful grandsons, William Roe, Smith Pickett and Michael Morgan, as well as his lovely granddaughters, Riley Pickett, Taylor Roe, Hannah Pickett and Adalee Pickett. He also leaves behind hundreds of friends throughout South Alabama. In a very real way, we were all King's family.

As his longtime friend, C. Dennis McCann, recently observed in a letter published in the Mobile Press-Register, ''King always brought a contagious happiness to everyone he met.''

Without question, Mobile lost a great citizen and a dear friend this past March.

On behalf of all those who knew and loved King, I offer my deepest condolences to his family. King Pickett lived a truly remarkable life and his death leaves a void which is not possible to be filled.

IN MEMORY OF DR. ROBERT N. BUTLER

HON. ALAN GRAYSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. GRAYSON. Madam Speaker, I rise today to honor the life of Dr. Robert N. Butler, the father of modern gerontology. Dr. Butler, a Pulitzer Prize-winning author, researcher, and psychiatrist, died at the age of 83 on July 4th at Mount Sinai Medical Center in New York. Dr. Butler was known for coining the phrase ''ageism'' to describe the discrimination against the elderly. He made it his life work to help create a health care system in which Americans would grow old with dignity and respect. I was honored to be a co-founder and to serve on the Alliance for Aging Board with Dr. Butler. It is truly a privilege to recognize the leading advocate for the treatment and care of the elderly.

Dr. Robert Butler was born in 1927 in New York, and raised by his grandparents on a chicken farm in southern New Jersey. His close bond with his grandparents sparked his passion and interest in the strength and determination of the elderly.

After serving in the U.S. Maritime Service, Dr. Butler attended Columbia University, where he received his undergraduate degree in 1949 and medical degree in 1953. He studied psychiatry and neurology as a resident at the University of California; later joining National Institute of Mental Health in Bethesda, Maryland as a research psychiatrist. He studied the central nervous system in elderly people, and helped investigate problems in nursing homes. Dr. Butler was a U.S. Public Health Service surgeon from 1955 to 1962. During the 1960's he maintained a private practice, while he was a researcher and gerontologist at the Washington School of Psychiatry. He also taught at several medical schools, including Georgetown, Howard, and George Washington Universities.

In 1976, Dr. Butler became the founding director of the National Institute on Aging at the National Institute of Health. During his time there, he successfully pressed Congress to increase research funding, particularly for Alzheimer's disease. Later, he established and led one of the first comprehensive geriatrics departments at an American medical school at Mount Sinai Hospital. His efforts lead to an overhaul in the treatment of the elderly by improving the education of doctors.

Throughout his career, Dr. Butler authored hundreds of articles and various books about the biology and sociology of aging. He wrote his most famous book in 1975 titled, ''Why Survive? Being Old in America'', which won him the Pulitzer Prize for general nonfiction. Since its founding in 1986 until his death, Dr. Butler was the Vice Chair and served on the Board of the Alliance for Aging Research. This non-profit based in Washington, DC is the nation's leading citizen advocacy organization for promoting a broad agenda of medical and scientific research to improve the health and independence of older Americans.

Madam Speaker, Dr. Butler's accomplishments are very personal to me. I help found the Alliance for Aging Research and served as an officer for 22 years. I worked closely with Dr. Butler, as he provided guidance and inspiration for the organization's mission. I am deeply saddened by the loss of a true medical pioneer, and a true friend. Dr. Butler always believed that if you love what you do and can contribute to society, then there is work to be done. He worked until three days before his death. He will be remembered for his groundbreaking work in the field of gerontology, which has changed the medical landscape and will greatly impact the lives of every American.

HONORING THE 50TH ANIVERSARY OF THE 1960 OLYMPIC TEAM IN NASHVILLE, TENNESSEE AUGUST 27, 2010

HON. CAROLYN C. KILPATRICK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Ms. KILPATRICK of Michigan. Madam Speaker, fifty years ago, arguably the greatest Olympic team in history—the United States Summer Olympic Team—traveled to Rome, Italy and proceeded to take over the athletic world. This Olympics, and this Olympic team, not only surpassed athletic marvels, but also broke racial, gender and ethnic barriers in doing so. On August 27, 2010, Nashville, Tennessee will be the home of the gathering of these champions, whose exploits are chronicled in David Maraniss' fantastic book, ''Rome 1960: The Olympics That Changed the World.'' This event is more than a gathering of greats. It is also a fundraiser for the Ed Temple Foundation, and proceeds from this event will help low income families in Franklin, Tennessee and surrounding communities. I am proud to rise in support of this most worthwhile endeavor.

The names from these Olympics are part of athletic history and lore. During the 1960 Olympics, women's track and field, heretofore an afterthought, was catapulted to the world's stage through the incredible achievements of the Tigerbelles of Tennessee State University. Led by legendary humanitarian, educator and coach Ed Temple of Tennessee State University, Mae Faggs, Wilma Rudolph, Wyomia Tyus, Edith McGuire, Chandra Cheeseborough and others illustrated that women could perform with grace, class and honor. I was blessed and remain blessed to have had the personal friendship of Wilma Rudolph for more than two decades. Her spirit, strength and service are an example to all Americans, especially during these racially trying times. These women—young, strong, proud African American women—shattered traditional and outdated stereotypes, furthering the cause of equality and justice for all Americans. Coach Temple would end his career as the greatest track and field coach in Olympic history, as the women on his team won more than 23 Olympic medals, set dozens of Olympic world records, and more incredibly, more than 80 percent of the women coached under his program graduated from college.

Rafer Johnson, an African American, carried our Nation's flag, also was the first African American to win the grueling decathlon. Ralph Boston, another graduate of Tennessee State University, won the Olympic gold in the long jump. The 1960 Olympic basketball team, led by Oscar Robertson, Jerry Lucas and Jerry

West, never had a game that was close. This team was so talented, so smart and so skilled, ten out of its 12 members played in the National Basketball Association, and the entire team was named to the Basketball Hall of Fame.

While many of us know of his career as a humanitarian, a man of peace and .justice, and perhaps the greatest boxer of all time, the 1960 Olympics in Rome also saw the beginning of the career of a young Cassius Clay. Of course, the world would later know and revere him as Muhammad Ali. In 1960, Muhammad Ali won a light heavyweight gold medal in boxing, setting the stage for an athlete like never before.

On behalf of my colleagues in Congress, I salute all of the athletes of this significant and ceiling-breaking Olympic team, and have the highest of hopes and wishes for the continued health and good fortune of these individuals and the Ed Temple Foundation. God bless.

HONORING THE WHITNEY FOUNDATION

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. RADANOVICH. Madam Speaker, I rise today to commend and congratulate The Whitney Foundation on ten years of successful grant making in the greater Fresno area. Their ten year celebration will be held in Fresno, California on Thursday, July 22, 2010.

The Whitney Foundation was founded by Kathryn Whitney Stephens in 1999 and was based on the philosophy that one should share with others what one is given. When Ms. Stephens came into an inheritance the decision about what to do with the money was simple: share it with those that are less fortunate and bring a positive change in their lives. She wanted to help others become self-sufficient, productive members of society. With this vision, and a two million dollar endowment, The Whitney Foundation was created and the Board of Trustees was put into place in July 2000. Ms. Stephens and the board initially decided that the grants they provided would not fund direct services, but would support programs that develop self-determination and self-reliance through health, education and housing. While Ms. Stephens has since passed away, The Whitney Foundation still holds true to it's original mission.

While the Foundation initially provided funding to a broad range of groups who worked in the areas of health, education and housing, the Board has since narrowed it's focus and created a niche within these areas to support groups who's goals involve overcoming obstacles, bringing about social change and lending assistance to organizations or projects that would otherwise fall through the cracks. The Whitney Foundation has helped to fund various housing projects including homeownership education classes, neighborhood improvement and the construction or rehabilitation of low income housing units. They have also funded projects that educate others about how to become more self-sufficient by learning new skills for future employment and living in safer and less violent neighborhoods. Finally, The Whitney Foundation has provided funding to a number of health projects that reach out to the uninsured, immigrant health needs and programs that promote culturally sensitive services. The Whitney Foundation has funded over twenty projects that have one or more of these principals. Through the Foundation's generosity, non-profits have been able to extend services that fulfill a need in the community.

Madam Speaker, I rise today to commend and congratulate The Whitney Foundation on ten years of giving. I invite my colleagues to join me in wishing The Whitney Foundation many years of continued success.

PERSONAL EXPLANATION

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Ms. CLARKE. Madam Speaker, on the afternoon of Wednesday, July 21, 2010, I was absent from the House and missed rollcall votes 454 through 455 and 458 through 459.

Had I been present for rollcall 454, on a motion to suspend the rules and agree to H. Con. Res. 292 supporting the goals and ideals of National Aerospace Week, and for other purposes "aye."

Had I been present for rollcall 455, On Motion to Suspend the Rules and Concur in the Senate Amendment H.R. 725 to protect Indian arts and crafts through the improvement of applicable criminal proceedings, and for other purposes "aye."

Had I been present for rollcall 458, on agreeing to the resolution H. Res. 1537 Waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules and providing for consideration of motions to suspend the rules "aye."

Had I been present for rollcall 459, On Motion to Suspend the Rules and Pass, as Amended to H.R. 5566 Prevention of Interstate Commerce in Animal Crush Videos Act of 2010 "aye."

TRIBUTE TO PAUL COVERDELL

HON. PAUL C. BROUN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. BROUN of Georgia. Madam Speaker, it has been said that "this man had the heart of a lion." I rise today to pay tribute to a friend and colleague whom this most accurate description by former Senator Phil Gramm is referencing . . . Paul Coverdell.

This week marked the 10th anniversary of Senator Coverdell's passing, and I proudly join my colleagues in both this body and in the Senate to commemorate the life and achievements of one of Georgia's finest citizens.

Paul Coverdell was a pioneer of the Republican party in our great state and, in fact, for many years, he defined it. After serving in our state Senate for nearly 20 years, 15 of which he was the Minority Leader, Paul took the reins of our struggling state party, and like a true member of the United States Army for which he proudly served, he established a beach head of conservatism in our state.

Now, 25 years later, Republicans occupy the governor's office and four of the other seven statewide offices, both U.S. Senate seats, seven of the thirteen U.S. House seats, and represent the majority party for both the state House and state Senate.

However, Paul Coverdell did not just chair our state party, he led by example. In 1992, Paul took on an incumbent U.S. Senator, enduring four close elections in less than five months, and emerged victorious. Six years later, Senator Coverdell won his re-election campaign and became the first Republican U.S. Senator from our state re-elected since Reconstruction.

Known as a quiet man who worked hard behind the scenes, Senator Coverdell's work was not often seen or discussed on Sunday morning talk shows or national radio programs, but it touches millions of lives each day, most notably through the "Coverdell Education Savings Accounts." In my own district, we are reminded daily of Senator Coverdell's work and legacy through the Paul D. Coverdell Center for Biomedical and Health Sciences at the University of Georgia.

His sudden passing in 2000 became one of those days for myself and many others where you remember where you were when you heard the news. Greatly admired and respected by his friends and colleagues, it is not surprising that more than fifty members of Congress joined over 900 mourners to attend his funeral in Atlanta. To his wife Nancy and his family, I bear witness that Paul Coverdell's character was definitely born from "the heart of a lion."

EXPRESSING SUPPORT FOR H.R. 2364

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mr. JOHNSON of Georgia. Madam Speaker, I rise today to express my support for H.R. 2864, which amends 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. This legislation will authorize appropriations for studying the Arctic, which will enable the United States to better examine and understand our Arctic territory.

I have visited the Arctic and I know first hand the important role the Arctic plays in the global ecosystem and our national security. I was able to see the impact of climate change on the Arctic. As a member of the House Armed Services Committee, I have participated in numerous hearings and I have shared the increasingly strategic role the Arctic plays in our national security. As a new member of the Transportation and Infrastructure Committee, I look forward to addressing issues related to maritime activities in the Arctic.

The United States has significant political and economic interests in the Arctic. Hydrographic services are important for maintaining Arctic environmental protection, navigational safety, and international relations. Over the

last five years, sea ice in the Arctic Circle has been at its lowest levels on record, and there has been a 35 percent decrease in thicker multi-year sea ice. These are symptoms of climate change, and represent a threat to fragile ecosystems and Arctic inhabitants. Hydrographic research is necessary to improve scientific understanding of the Arctic system and its adaptation to the dramatic environmental changes it is currently experiencing.

Rising sea levels in the Arctic have also altered sea routes and coastlines, compounding the need for new hydrographic research to produce updated navigational charts. Because the region has heretofore been relatively inaccessible, information about the Arctic is lacking in comparison to information about other American marine and coastal areas. According to the National Oceanic and Atmospheric Administration, the Arctic currently has minimal tide, current, and water level prediction coverage, obsolete shoreline and hydrographic data, unsatisfactory nautical charts, and poor weather and ice forecast coverage. Moreover, most Arctic waters that have been charted were surveyed with obsolete hydrographic technology, as far back as the 1800s, and most of Alaska's northern and western shoreline has not been mapped since 1960, if ever. New hydrographic data on the Arctic region is sorely needed. Charts produced from new research will ensure the safety of both civilians and the Coast Guard as they live and work near and on our Arctic waters.

The opening of new Arctic sea routes as the polar ice caps melt also has political implications. Recent geological surveys indicate that as many as 90 billion recoverable barrels of oil and 2 trillion cubic feet of natural gas may be present in the Arctic Circle. With unprecedented access to these resources made possible by climate change, the contentious debate over drilling in the Arctic will continue to intensify, as will disputes over coastal borders between circumpolar nations. The better the U.S. understands the nature of our Arctic territory, the better prepared we will be to participate in the international conversation about the future of Arctic policy.

I support this bill because new hydrographic research is necessary to gather the most accurate data about our Arctic coastline and natural resources. This data would include oceanographic tidal, current, and wave information; depth measurements for bodies of water; information on navigational hazards and considerations; and updated navigational maps of the area. With this data, the Coast Guard and research institutes can inform the American public and government about the Arctic to the best of their abilities. To make this possible, I urge Congress to pass H.R. 2864, to authorize funds for hydrographic research in the Arctic.

I urge my colleagues to support this important resolution.

INTRODUCTION OF H.R. 5283

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Ms. CLARKE. Madam Speaker, I rise today as a proud cosponsor of H.R. 5283, the Help Haiti Act of 2010, introduced by my colleague Congressman JEFF FORTENBERRY. This bill normalizes the immigration procedures for certain adopted Haitian orphans that received humanitarian parole between January 18, 2010 and April 15, 2010. It allows their adoptive families, who are U.S. citizens, to apply immediately on their behalves to become legal permanent residents and eventually qualify for citizenship.

As the Representative of the second largest population of first and second generation Haitian immigrants, Haiti has been at the core of my Caribbean agenda. That is why I am extremely concerned that more than 1,000 paroled Haitian orphans being adopted by American families remain in immigration limbo due to a legal technicality. It is alarming that these children have to wait two years before they are granted legal permanent residency. If this situation is not addressed, these children will remain in this country without certain legal protections and are in jeopardy of being separated from their adoptive family and deported back to Haiti where they have no family.

The legal technicality that put these kids in such a precarious position is yet another example of why our nation needs comprehensive immigration reform. That is why I am committed to working with my colleagues to make immigration reform a reality as soon as possible. Our national security is at stake; our moral standing in the world depends on it; and the American people, many of whom are first and second generation immigrants, demand it. I urge Congress to take a fresh look at the antiquated policies and bureaucratic backlogs that tear families apart and devastate our communities.

Finally, I commend Congressman FORTENBERRY for addressing this issue and his continued support for the children of Haiti.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S6131–S6227

Measures Introduced: Fifteen bills and three resolutions were introduced, as follows: S. 3629–3643, and S. Res. 592–594. **Pages S6200–01**

Measures Reported:

S. 3635, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2011. (S. Rept. No. 111–228)

S. 3636, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2011. (S. Rept. No. 111–229)

S. 258, to amend the Controlled Substances Act to provide enhanced penalties for marketing controlled substances to minors, with an amendment in the nature of a substitute.

S. 1684, to establish guidelines and incentives for States to establish criminal arsonist and criminal bomber registries and to require the Attorney General to establish a national criminal arsonist and criminal bomber registry program, with an amendment in the nature of a substitute.

S. 3638, to establish a national safety plan for public transportation. **Page S6200**

Measures Passed:

Burmese Freedom and Democracy Act: By 99 yeas to 1 nay (Vote No. 216), Senate passed H.J. Res. 83, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, clearing the measure for the President. **Pages S6144–46**

20th Anniversary of the Americans with Disabilities Act: By a unanimous vote of 100 yeas (Vote No. 217), Senate agreed to S. Res. 591, recognizing and honoring the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990. **Pages S6131–44, S6146–47**

National September 11 Memorial & Museum Commemorative Medal Act: Senate passed H.R. 4684, to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center, clearing the measure for the President. **Page S6225**

National Museum of American Jewish History: Committee on Rules and Administration was discharged from further consideration of S. Res. 546, recognizing the National Museum of American Jewish History, an affiliate of the Smithsonian Institution, as the only museum in the United States dedicated exclusively to exploring and preserving the American Jewish experience, and the resolution was then agreed to. **Page S6225**

National Convenient Care Clinic Week: Committee on the Judiciary was discharged from further consideration of S. Res. 585, designating the week of August 2 through August 8, 2010, as "National Convenient Care Clinic Week", and supporting the goals and ideals of raising awareness of the need for accessible and cost-effective health care options to complement the traditional health care model, and the resolution was then agreed to. **Pages S6225–26**

Montford Point Marines Day: Committee on the Judiciary was discharged from further consideration of S. Res. 587, designating August 26, 2010, as "Montford Point Marines Day", and the resolution was then agreed to. **Page S6226**

Majority Party Membership: Senate agreed to S. Res. 594, to constitute the majority party's membership on certain committees for the One Hundred Eleventh Congress, or until their successors are chosen. **Page S6226**

Measures Considered:

Small Business Lending Fund Act—Agreement: Senate continued consideration of H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, taking action on the following amendments and motion proposed thereto: **Pages S6148–90**

Pending:

Reid (for Baucus) Amendment No. 4499, in the nature of a substitute. **Page S6148**

Reid (for LeMieux) Amendment No. 4500 (to Amendment No. 4499), to establish the Small Business Lending Fund Program. **Page S6148**

Reid Amendment No. 4501 (to Amendment No. 4500), to change the enactment date. **Page S6148**

Reid Amendment No. 4502 (to the language proposed to be stricken by Amendment No. 4499), to change the enactment date. **Page S6148**

Reid Amendment No. 4503 (to Amendment No. 4502), of a perfecting nature. **Page S6148**

During consideration of this measure today, Senate also took the following action:

By 60 yeas to 37 nays (Vote No. 218), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the Reid (for LeMieux) Amendment No. 4500 (to Amendment No. 4499), to establish the Small Business Lending Fund Program. **Pages S6189–90**

Reid motion to commit the bill to the Committee on Finance with instructions, Reid Amendment No. 4504 (the instructions on the motion to commit), relative to a study, fell when cloture was invoked on Reid (for LeMieux) Amendment No. 4500 (to Amendment No. 4499) (listed above). **Page S6148**

Reid Amendment No. 4505 (to the instructions (Amendment No. 4504) of the motion to commit), of a perfecting nature, fell when Reid Amendment No. 4504 (listed above), fell. **Page S6148**

Reid Amendment No. 4506 (to Amendment No. 4505), of a perfecting nature, fell when Reid Amendment No. 4505 (listed above), fell. **Page S6148**

A unanimous-consent agreement was reached providing that the post-cloture time with respect to Reid (for LeMieux) Amendment No. 4500 (to Amendment No. 4499), be suspended until such time as the Senate resumes consideration of the bill. **Page S6191**

Disclose Act—Agreement: Senate began consideration of the motion to proceed to consideration of S. 3628, to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections. **Page S6191**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, July 22, 2010, a vote on cloture will occur at 2:45 p.m., on Tuesday, July 27, 2010, with the time from 2:15 to 2:45 p.m., equally divided and controlled between the two Leaders, or their designees, with the Majority Leader controlling the final 15 minutes. **Page S6191**

A unanimous-consent agreement was reached providing that Senate resume consideration of the motion to proceed to consideration of the bill at approximately 3 p.m., on Monday, July 26, 2010. **Page S6226**

House Messages:

Emergency Supplemental Appropriations Act: Senate began consideration of the amendment of the House to the amendment of the Senate to H.R. 4899, making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, taking action on the following motions proposed thereto: **Page S6190**

Adopted:

Motion to disagree to the amendment of the House to the amendment of the Senate to the bill. **Page S6190**

Withdrawn:

Motion to concur in the amendment of the House to the amendment of the Senate to the bill. **Page S6190**

During consideration of this measure today, Senate also took the following action:

By 46 yeas to 51 nays (Vote No. 219), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the motion to concur in the amendment of the House to the amendment of the Senate to the bill. **Page S6190**

Messages from the House: **Pages S6197–98**

Measures Referred: **Page S6198**

Measures Placed on the Calendar: **Pages S6131, S6198**

Measures Read the First Time: **Page S6226**

Executive Communications: **Pages S6198–99**

Petitions and Memorials: **Pages S6199–S6200**

Additional Cosponsors: **Pages S6201–03**

Statements on Introduced Bills/Resolutions: **Pages S6203–22**

Additional Statements: **Pages S6196–97**

Amendments Submitted: **Pages S6222–24**

Authorities for Committees to Meet: **Page S6224**

Privileges of the Floor: **Page S6224**

Record Votes: Four record votes were taken today. (Total—219) **Pages S6146, S6189–90**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 11:05 p.m., until 3 p.m. on Monday, July 26, 2010. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6227.)

Committee Meetings

(Committees not listed did not meet)

RECENT TENNESSEE FLOOD

Committee on Appropriations: Subcommittee on Energy and Water Development concluded a hearing to examine lessons from the 2010 Tennessee flood, after receiving testimony from Senator Corker; Representatives Cooper, Davis (TN), Cohen, and Blackburn; Major General John Peabody, Commander, Great Lakes and Ohio River Division, U.S. Army Corps of Engineers, Department of Defense; Gary M. Carter, Director, Hydrologic Development, National Weather Service, National Oceanic and Atmospheric Administration, Department of Commerce; James Bassham, Tennessee Emergency Management Agency Director, Mayor Karl F. Dean, City of Nashville, Whit Adamson, Tennessee Association of Broadcasters, and Bert Mathews, Nashville Area Chamber of Commerce, all of Nashville, Tennessee; and Mayor Richard L. Hodges, City of Millington, Tennessee.

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported the following bills:

An original bill making appropriations for Energy and Water Development for fiscal year ending September 30, 2011;

An original bill making appropriations for Transportation and Housing and Urban Development, and Related Agencies for fiscal year ending September 30, 2011; and

An original bill making appropriations for Commerce, Justice, Science, and Related Agencies, for fiscal year ending September 30, 2011.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following bills:

S. 3490, to clarify the rights and responsibilities of Federal entities in the spectrum relocation process, with an amendment in the nature of a substitute;

S. 3605, to invest in innovation through research and development, to improve the competitiveness of the United States, with an amendment in the nature of a substitute; and

S. 3614, to authorize the establishment of a Maritime Center of Expertise for Maritime Oil Spill and Hazardous Substance Release Response, with an amendment in the nature of a substitute.

TRANSPORT OF FINE PARTICULATE MATTER AND OZONE

Committee on Environment and Public Works: Subcommittee on Clean Air and Nuclear Safety concluded a hearing to examine the Environmental Protection Agency's proposal for Federal implementation plans to reduce interstate transport of fine particulate matter and ozone, after receiving testimony from Regina A. McCarthy, Assistant Administrator, Office of Air and Radiation, Environmental Protection Agency; Jared Snyder, New York State Department of Environmental Conservation, Albany; Chris Korleski, Ohio Environmental Protection Agency, Columbus; Eric Svenson, Public Service Enterprise Group, Washington, D.C.; and Conrad G. Schneider, Clean Air Task Force, Brunswick, Maine.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Patrick S. Moon, of Virginia, to be Ambassador to Bosnia and Herzegovina, Luis E. Arreaga-Rodas, of Virginia, to be Ambassador to the Republic of Iceland, Daniel Bennett Smith, of Virginia, to be Ambassador to Greece, and Matthew J. Bryza, of Illinois, to be Ambassador to the Republic of Azerbaijan, who was introduced by Senator Lugar, all of the Department of State, after the nominees testified and answered questions in their own behalf.

DISASTER MEDICAL PREPAREDNESS

Committee on Homeland Security and Governmental Affairs: Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration concluded a hearing to examine disaster medical preparedness, focusing on improving coordination and collaboration in the delivery of medical assistance during disasters, after receiving testimony from Robert J. Fenton, Jr., Deputy Assistant Administrator for Response, Federal Emergency Management Agency, Department of Homeland Security; Kevin Yeskey, Deputy Assistant Secretary for Preparedness and Response, Director, Office of Preparedness and Emergency Response, Office of the Assistant Secretary for Preparedness and Response, Department of Health and Human Services; and Paul Cunningham, Arkansas Hospital Association, Little Rock.

GULF OF MEXICO OIL SPILL

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, Federal Services,

and International Security concluded hearings to examine the Gulf of Mexico oil spill, focusing on ensuring a financially responsible recovery, after receiving testimony from Kenneth R. Feinberg, Gulf Coast Claims Facility, New York, New York; James T. Hackett, Anadarko Petroleum Corporation, Chicago, Illinois; and Noaki Ishii, MOEX Offshore 2007 LLC, Hosei, Japan.

WORKPLACE SAFETY AND WORKER PROTECTIONS AT BP

Committee on Health, Education, Labor, and Pensions: Subcommittee on Employment and Workplace Safety concluded a hearing to examine workplace safety and worker protections at BP, after receiving testimony from Steven A. Flynn, BP Global, London, United Kingdom.

INDIAN WATER RIGHTS BILLS

Committee on Indian Affairs: Committee concluded a hearing to examine S. 2956, to authorize the Pechanga Band of Luiseno Mission Indians Water Rights Settlement, and S. 3290, to modify the purposes and operation of certain facilities of the Bureau of Reclamation to implement the water rights compact among the State of Montana, the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana, and the United States, after receiving testimony from Senator Baucus; Mark Macarro, Pechanga Band of Luiseno Mission Indians, and Matthew G. Stone, Rancho California Water District, both of Temecula, California; Jay Weiner, Montana Assistant Attorney General, on behalf of the Montana Reserved Water Rights Compact Commission, and John E. Bloomquist, Pondera County Canal and Reservoir Company, both of Helena, Montana; and Shannon Augare, Blackfeet Tribal Business Council, Browning, Montana.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 36 public bills, H.R. 5813–5848; and 8 resolutions, H.J. Res. 94; H. Con. Res. 301–303 ; and H. Res. 1551–1554 were introduced. **Pages H5983–85**

Additional Cosponsors: **Pages H5985–86**

Reports Filed: Reports were filed today as follows:

H. Res. 1550, providing for consideration of the Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions (H. Rept. 111–556);

H.R. 5681, to improve certain administrative operations of the Library of Congress (H. Rept. 111–557);

H.R. 3837, to amend the Homeland Security Act of 2002 to provide for clarification on the use of funds relating to certain homeland security grants, with an amendment (H. Rept. 111–558);

H.R. 5822, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2011 (H. Rept. 111–559);

H.R. 847, to amend the Public Health Service Act to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001, with an amendment (H. Rept. 111–560, Pt. 1);

H.R. 847, to amend the Public Health Service Act to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001, with an amendment (H. Rept. 111–560, Pt. 2); and

H.R. 5493, to provide for the furnishing of statues by the District of Columbia for display in Statuary Hall in the United States Capitol (H. Rept. 111–561). **Page H5983**

Speaker: Read a letter from the Speaker wherein she appointed Representative Pastor to act as Speaker pro tempore for today. **Page H5923**

Suspensions: The House agreed to suspend the rules and pass the following measures which were debated on Tuesday, July 20th:

Child Protection Improvements Act: H.R. 1469, amended, to amend the National Child Protection Act of 1993 to establish a permanent background check system, by a ⅔ yea-and-nay vote of 413 yeas to 4 nays, Roll No. 462 and **Page H5938**

Joyce Rogers Post Office Building Designation Act: H.R. 5341, to designate the facility of the United States Postal Service located at 100 Orndorf Drive in Brighton, Michigan, as the "Joyce Rogers Post Office Building", by a ⅔ recorded vote of 411 ayes with none voting "no", Roll No. 464. **Pages H5950–51**

Question of Consideration: The House agreed to consider the Senate amendment to the House amendment to the Senate amendment to H.R. 4213,

to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, by voice vote.

Pages H5937–38

American Jobs and Closing Tax Loopholes Act of 2010: The House concurred in the Senate amendment to the House amendment to the Senate amendment to H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, by a yea-and-nay vote of 272 yeas to 152 nays, Roll No. 463. **Pages H5926–38, H5938–50**

H. Res. 1550, the rule providing for consideration of the Senate amendment, was agreed to by a yea-and-nay vote of 237 yeas to 180 nays, Roll No. 461, after the previous question was ordered without objection. **Pages H5926–38**

Moment of Silence: The House observed a moment of silence in honor of Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police who were killed in the line of duty defending the Capitol against an intruder armed with a gun on July 24, 1998. **Page H5950**

Multiple Peril Insurance Act—Rule for Consideration: The House agreed to H. Res. 1549, the rule providing for consideration of H.R. 1264, to amend the National Flood Insurance Act of 1968 to provide for the national flood insurance program to make available multiperil coverage for damage resulting from windstorms or floods, by a recorded vote of 228 ayes to 183 noes, Roll No. 466, after the previous question was ordered by a yea-and-nay vote of 234 yeas to 179 nays, Roll No. 465.

Pages H5951–59

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, July 26th for morning hour debate.

Page H5961

Senate Messages: Messages received from the Senate today appear on pages H5923 and H5951.

Senate Referrals: S. 1376 was referred to the Committee on the Judiciary. **Page H5981**

Quorum Calls—Votes: Four yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H5937–38, H5938, H5950, H5951, H5958, H5958–59. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:36 p.m.

Committee Meetings

STATE OF CROP INSURANCE INDUSTRY

Committee on Agriculture: Subcommittee on General Farm Commodities and Risk Management held a hearing to review the state of crop insurance industry. Testimony was heard from Bill Murphy, Administrator, Risk Management Agency, USDA; and public witnesses.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies approved for full Committee action the FY 2011 Interior and Environment Appropriations bill.

DOD BUDGET MANAGEMENT

Committee on Armed Services: Held a hearing on managing the Department of Defense in a time of tight budgets. Testimony was heard from the following officials of the Department of Defense: Elizabeth McGrath, Deputy Chief Management Officer; Joseph Westphal, Under Secretary of the Army; Robert O. Work, Under Secretary of the Navy; and Erin Conaton, Under Secretary of the Air Force.

BEST PRACTICES ACT; PERSONAL INFORMATION DISCLOSURE

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing on the following: the Best Practices Act; and a discussion draft to require notice to and consent of an individual prior to the collection and disclosure of certain personal information relating to that individual. Testimony was heard from David Vladeck, Director, Bureau of Consumer Protection, FTC; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Health approved for full Committee action the following bills: H.R. 903, amended, Dental Emergency Responder Act; H.R. 1745, amended, Family Health Care Accessibility Act; H.R. 3199, amended, Emergency Medic Transition (EMT) Act; H.R. 5710, amended, National All Schedules Prescription Electronic Reporting Reauthorization Act of 2010; H.R. 5756, amended, Training and Research for Autism Improvements Nationwide Act of 2010; H.R. 5809, amended, Safe Drug Disposal Act of 2010; H.R. 2923, Combat Methamphetamine Enhancement Act of 2009; and H.R. 3470, amended, Nationally Enhancing the Well-being of Babies through Outreach and Research Now Act.

Prior to this action, the Subcommittee held a hearing on the following measures: H.R. 5710, National All Schedules Electronic Reporting Reauthorization Act of 2010; and the Safe Drug Disposal Act Antibiotics in Animal Agriculture. Testimony was heard from R. Gil Kerlikowske, Director, Office of National Drug Control Policy; and Joseph Rannazzisi, Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice.

DIRECT-TO-CONSUMER GENERIC TEST SALES

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Direct-to-Consumer Genetic Testing and the Consequences to the Public Health." Testimony was

heard from Gregory Kutz, Managing Director, Forensic Audits and Special Investigations, GAO; Jeff Shuren, Director, Center for Devices and Radiological Health, FDA; Department of Health and Human Services; and public witnesses.

MONETARY POLICY/STATE OF THE ECONOMY

Committee on Financial Services: Held a hearing on Monetary Policy and the State of the Economy. Testimony was heard from Ben S. Bernanke, Chairman, Board of Governors, Federal Reserve System; and public witnesses.

DANGEROUS TECHNOLOGY NONPROLIFERATION

Committee on Foreign Affairs: Subcommittee on Terrorism, Nonproliferation and Trade held a hearing on Transshipment and Diversion: Are U.S. Trading Partners Doing Enough to Prevent the Spread of Dangerous Technologies? Testimony was heard from Kevin J. Wolf, Assistant Secretary, Export Administration, Bureau of Industry and Security, Department of Commerce; and Vann H. Van Diepen, Acting Assistant Secretary, Bureau of International Security and Nonproliferation, Department of State.

DISRUPTING BORDER ALIEN SMUGGLING

Committee on Homeland Security: Subcommittee on Border, Maritime and Global Counterterrorism held a hearing entitled ''Enhancing DHS' Efforts to Disrupt Alien Smuggling Across Our Borders.'' Testimony was heard from the following officials of the Department of Homeland Security: James A. Dinkins, Executive Associate Director, Homeland Security Investigations, U.S. Immigration and Customs Enforcement; and Michael J. Fisher, Chief, Border Patrol, U.S. Customs and Border Protection; Richard M. Stana, Director, Homeland Security and Justice Issues, GAO; Terry Goddard, Attorney General, State of Arizona; and a public witness.

AMERICANS WITH DISABILITIES ACT REVIEW

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights and Civil Liberties held a hearing on the Americans with Disabilities Act at 20—Celebrating Our Progress, Affirming Our Commitment. Testimony was heard from Representatives Hoyer and Langevin; former Attorney General Richard Thornburgh; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Ordered reported the following bills: H.R. 2523, amended, HEALTH Act; H.R. 4347, amended, Department of the Interior Tribal Self-Governance Act of 2009; H.R. 5479, CARE Act; H.R. 4888, amended, Cabin Fee Act of 2010; H.R. 4416, amended, Great Ape Conservation Reauthorization Act 2010; H.R. 3785, Chattahoochee River National Recreation Area Boundary Study Act of 2009; H.R. 4195, amended, To authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs; H.R. 4823, amended, Sedona-Red Rock National Scenic Area Act of 2010; H.R. 5110, amended, Casa Grade Ruins National Monument Boundary Modification Act of 2010; H.R. 5388, amended, To expand the boundaries of the Cibola National Forest in the State of New Mexico; H.R. 5494, amended, To direct the Director of the National Park Service and the Secretary of the Interior to transfer certain properties to the District of Columbia; H.R. 5152, Kennesaw Mountain National Battlefield Park Boundary Adjustment Act of 2010; H.R. 5194, Mt. Andrea Lawrence Designation Act of 2010; and H.R. 5131, amended, Coltsville National Historical Park Act.

INTERIOR'S OFFSHORE OIL DRILLING OVERSIGHT

Committee on Oversight and Government Reform: Held a hearing to examine the Department of the Interior's oversight of offshore oil drilling, including the management, operation, and effectiveness of the Minerals Management Service (MMS), the proposed reorganization of MMS, and issued related to the Deepwater Horizon explosion. Testimony was heard from the following officials of the Department of the Interior: Ken Salazar, Secretary; Michael R. Bromwich, Director, Bureau of Ocean Energy Administration, Regulation, and Enforcement; and Mary L. Kendall, Acting Inspector General, Office of Inspector General; Frank Rusco, Director, Natural Resources and the Environment, GAO; and public witnesses.

ALTERNATIVES TO INCARCERATION OF DRUG OFFENDERS

Committee on Oversight and Government Reform: Subcommittee on Domestic Policy held a hearing entitled ''Quitting Hard Habits: Efforts to Expand and Improve Alternatives to Incarceration for Drug-Involved Offenders.'' Testimony was heard from Benjamin B. Tucker, Deputy Director, State, Local and Tribal Affairs, Office of National Drug Control Policy; James H. Burch II, Acting Director, Bureau of Justice Assistance, Office of Justice Programs, Department of Justice; and public witnesses.

FEDERAL WEB 2.0 TECHNOLOGIES

Committee on Oversight and Government Reform: Subcommittee on Information Policy, Census, and National Archives held a hearing entitled ''Government 2.0: Federal Agency Use of Web 2.0 Technologies.'' Testimony was heard from David S. Ferriero, Archivist of the United States, U.S. National Archives and Records Administration; David L. McClure, Associate Administrator, Office of Citizen Services and Innovative Technologies, GSA; Gregory C. Wilshusen, Director, Information Security Issues, GAO; and a public witness.

UNEMPLOYMENT COMPENSATION EXTENSION ACT OF 2010

Committee on Rules: Granted, by a vote of 7–3, a rule providing for consideration of the Senate amendment to the House amendment to the Senate amendment to H.R. 4213, the Unemployment Compensation Extension Act of 2010. The rule makes in order a motion offered by the chair of the Committee on Ways and Means that the House concur in the Senate amendment to the House amendment to the Senate amendment to H.R. 4213. The rule provides one hour of debate on the motion equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the motion except those arising under clause 10 of rule XXI. The rule provides that the Senate amendment shall be considered as read.

NASA AUTHORIZATION ACT OF 2010

Committee on Science and Technology: Ordered reported, as amended, H.R. 5781, National Aeronautics and Space Administration Authorization Act of 2010.

EPA COAL COMBUSTION BYPRODUCTS REGULATION

Committee on Small Business: Subcommittee on Rural Development, Entrepreneurship and Trade held a hearing entitled "Coal Combustion Byproducts: Potential Impact of a Hazardous Waste Designation on Small Businesses in the Recycling Industry." Testimony was heard from Lisa Feldt, Deputy Assistant Administrator, Office of Solid Waste and Emergency Response, EPA; and public witnesses.

HEALING THE PHYSICAL INJURIES OF WAR

Committee on Veterans' Affairs: Subcommittee on Health held a hearing on Healing the Physical Injuries of War. Testimony was heard from Jack Smith, M.D., Acting Deputy Assistant Secretary, Clinical and Program Policy, Department of Defense; Lucille B. Beck, Chief Consultant, Rehabilitation Services, Office of Patient Care Services, Director, Audiology and Speech Pathology Service, Veterans Health Administration, Department of Veterans Affairs; and representatives of veterans organizations.

TRANSFER PRICING ISSUES

Committee on Ways and Means: Held a hearing on transfer pricing issues. Testimony was heard from Stephen E. Chay, Deputy Assistant Secretary, International Tax Affairs, Department of the Treasury; Tom Barthold, Chief of Staff, Joint Committee on Taxation; and public witnesses.

BRIEFING ON IRAN

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Iran. The Committee was briefed by departmental witnesses.

Joint Meetings

IRAQI REFUGEES AND IRAQI ALLIES

Commission on Security and Cooperation in Europe. Commission concluded a hearing to examine the plight of hundreds of thousands of Iraqi refugees and Iraqi allies, focusing on a review of United States Government efforts to provide humanitarian assistance to Iraqi refugees and assess the impact of this massive population displacement on the stability of, and United States interests in, the region, after receiving testimony from Eric Schwartz, Assistant Secretary of State for Population, Refugees and Migration; Kirk Johnson, List Project to Resettle Iraqi Allies, New York, New York; Craig Johnstone, Refugees International, Washington, D.C.; and Michael A. Newton, Vanderbilt University Law School, Nashville, Tennessee.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D789)*

H.R. 4173, to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail," to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices. Signed on July 21, 2010. (Public Law 111–203)

COMMITTEE MEETINGS FOR FRIDAY, JULY 23, 2010

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No committee meetings are scheduled.

CONGRESSIONAL PROGRAM AHEAD

Week of July 26 through July 31, 2010

Senate Chamber

On *Monday*, at approximately 3 p.m., Senate will resume consideration of the motion to proceed to consideration of S. 3628, DISCLOSE Act.

On *Tuesday,* at 2:15 p.m., Senate will continue consideration of the motion to proceed to consideration of S. 3628, DISCLOSE Act, and after a period of debate, vote on the motion to invoke cloture on the motion to proceed to consideration of the bill at 2:45 p.m.

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: July 27, Subcommittee on Financial Services and General Government, business meeting to mark up proposed budget estimates for fiscal year 2011 for Financial Services and General Government, 10:30 a.m., SD–138.

July 27, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, business meeting to mark up proposed budget estimates for fiscal year 2011 for Labor, Health and Human Services, Education, and Related Agencies, 2:30 p.m., SD–138.

Committee on Armed Services: July 29, to hold hearings to examine the new START, 9:30 a.m., SD–G50.

Committee on Commerce, Science, and Transportation: July 27, to hold hearings to examine consumer online privacy, 2:30 p.m., SR–253.

Committee on Environment and Public Works: July 27, Subcommittee on Water and Wildlife, to hold hearings to examine assessing natural resource damages resulting from the BP Deepwater Horizon disaster, 2:30 p.m., SD–406.

July 28, Full Committee, to hold hearings to examine protecting America's water treatment facilities, 2:30 p.m., SD–406.

Committee on Foreign Relations: July 27, to hold hearings to examine perspectives on reconciliation options in Afghanistan, 9:30 a.m., SD–419.

July 27, Full Committee, to hold hearings to examine the nominations of Alejandro Daniel Wolff, of California, to be Ambassador to the Republic of Chile, Larry Leon Palmer, of Georgia, to be Ambassador to the Bolivarian Republic of Venezuela, Pamela E. Bridgewater Awkard, of Virginia, to be Ambassador to Jamaica, and Phyllis Marie Powers, of Virginia, to be Ambassador to the Republic of Panama, all of the Department of State, 2:15 p.m., SD–419.

July 27, Full Committee, business meeting to consider the nominations of Peter Michael McKinley, of Virginia, to be Ambassador to the Republic of Colombia, Rose M. Likins, of Virginia, to be Ambassador to the Republic of Peru, Christopher W. Murray, of New York, to be Ambassador to the Republic of the Congo, Mark Charles Storella, of Maryland, to be Ambassador to the Republic of Zambia, James Frederick Entwistle, of Virginia, to be Ambassador to the Democratic Republic of the Congo, Eric D. Benjaminson, of Oregon, to be Ambassador to the Gabonese Republic, and to serve concurrently and without additional compensation as Ambassador to the Democratic Republic of Sao Tome and Principe, Phillip Carter III, of Virginia, to be Ambassador to the Republic of Cote d'Ivoire, J. Thomas Dougherty, of Wyoming, to be Ambassador to Burkina Faso, Michael S. Owen, of Virginia, to be Ambassador to the Republic of Sierra Leone, and Laurence D. Wohlers, of Washington, to be Ambassador to the Central African Republic, all of the Department of State, Mark Feierstein, of Virginia, to be an Assistant Administrator of the United States Agency for International Development, and Mimi E. Alemayehou, Executive Vice President of the Overseas Private Investment Corporation, to be a Member of the Board of Directors of the African Development Foundation, 2:15 p.m., S–116, Capitol.

July 29, Full Committee, to hold joint hearings to examine Al-Megrahi release, focusing on one year later, 2:30 p.m., SH–216.

Committee on Health, Education, Labor, and Pensions: July 28, business meeting to consider H.R. 5610, to provide a technical adjustment with respect to funding for independent living centers under the Rehabilitation Act of 1973 in order to ensure stability for such centers, and any pending nominations, Time to be announced, Room to be announced.

July 29, Subcommittee on Children and Families, to hold hearings to examine the state of the American child, focusing on the impact of Federal policies on children, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: July 27, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine high-risk logistics planning, focusing on progress on improving Department of Defense supply chain management, 2:30 p.m., SR–418.

July 28, Full Committee, business meeting to consider pending calendar business, 10 a.m., SD–342.

July 28, Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration, with the Ad Hoc Subcommittee on Disaster Recovery, to hold joint hearings to examine flood preparedness and mitigation, focusing on map modernization, levee inspection, and levee repairs, 3 p.m., SD–342.

July 29, Ad Hoc Subcommittee on Contracting Oversight, to hold hearings to examine mismanagement of contracts at Arlington National Cemetery, 10 a.m., SD–342.

July 29, 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, 2:30 p.m., SD–342.

Committee on Indian Affairs: July 29, to hold an oversight hearing to examine Indian gaming, 9:30 a.m., SD–628.

Committee on the Judiciary: July 27, to hold hearings to examine Exxon Valdez to Deepwater Horizon, focusing on protecting victims of major oil spills, 2:30 p.m., SD–226.

July 28, Full Committee, to hold an oversight hearing to examine the Federal Bureau of Investigation, 10 a.m., SD–226.

July 28, Full Committee, to hold hearings to examine the nominations of Kathleen M. O'Malley, of Ohio, to be United States Circuit Judge for the Federal Circuit, Beryl Alaine Howell, of the District of Columbia, to be United States District Judge for the District of Columbia, and Robert Leon Wilkins, of the District of Columbia, to be a United States District Judge for the District of Columbia, 2:30 p.m., SD–226.

July 29, Full Committee, business meeting to consider S. 3397, to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, S. 2925, to establish a grant program to benefit victims of sex trafficking, S. 518, to establish the Star-Spangled Banner and War of 1812 Bicentennial Commission, and the nominations of John F. Walsh, to be United States Attorney for the District of Colorado, and John William Vaudreuil, to be United States Attorney for the Western District of Wisconsin, both of the Department of Justice, 10 a.m., SD–226.

July 29, Subcommittee on Terrorism and Homeland Security, to hold hearings to examine the passport

issuance process, focusing on closing the door to fraud, part II, 2:30 p.m., SD–226.

Committee on Rules and Administration: July 28, to resume hearings to examine the filibuster, focusing on legislative proposals to change Senate procedures, 10 a.m., SR–301.

Committee on Small Business and Entrepreneurship: July 27, to hold hearings to examine the deepwater drilling moratorium, 10 a.m., SD–106.

Select Committee on Intelligence: July 27, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House Committees

Committee on Agriculture, July 28, to consider the following: H.R. 5509, Chesapeake Bay Program Reauthorization and Improvement Act; H.R. 3519, Veterinarian Services Investment Act; a measure reauthozing mandatory price reporting; and other pending business, 2 p.m., 1300 Longworth.

July 28, Subcommittee on Department of Operations, Oversight, Nutrition and Forestry, hearing to review quality control systems in the Supplemental Nutrition Assistance Program, 10 a.m., 1300 Longworth.

Committee on Armed Services, July 27, hearing on Japan: Recent Security Developments, 10 a.m., 2118 Rayburn.

July 28, Subcommittee on Oversight and Investigations, hearing on Transformation in Progress: The Services' Enlisted Professional Military Education Programs, 1:30 p.m., 2212 Rayburn.

July 28, Subcommittee on Readiness and the Subcommittee on Seapower and Expeditionary Forces, joint hearing on surface fleet readiness, 10 a.m., 2118 Rayburn.

July 28, Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on harnessing small business innovation for national security cyber needs, 2 p.m., 2118 Rayburn.

July 29, full Committee, hearing on the Final Report of the Independent Panel's Assessment of the Quadrennial Defense Review, 10 a.m., 2118 Rayburn.

Committee on the Budget, July 27, hearing on Budget Implications of Closing Yucca Mountain, 10:15 a.m., 210 Cannon.

Committee on Energy and Commerce, July 27, Subcommittee on Commerce, Trade and Consumer Protection, hearing entitled ''The BP Oil Spill and Gulf Coast Tourism: Assessing the Impact,'' 10 a.m., 2123 Rayburn.

July 27, Subcommittee on Health, hearing entitled ''Implementation of the Health Information Technology for Economic and Clinical (HITECH) Act,'' 1 p.m., 2322 Rayburn.

July 29, Subcommittee on Commerce, Trade and Consumer Protection, hearing on the Toxic Chemicals Safety Act of 2010, 10 a.m., 2123 Rayburn.

Committee on Financial Services, July 27, to consider the following bills: H.R. 5814, Public Housing Reinvestment and Tenant Protection Act of 2010; H.R. 4868, Housing Preservation and Tenant Protection Act of 2010; H.R. 2267, Internet Gambling Regulation, Consumer Protection, and Enforcement Act; H.R. 3421, Medical Debt Relief Act of 2009; H.R. 4790, Shareholder Protection Act of 2010; and H.R. 5823, United States Covered Bond Act of 2010, 10 a.m., 2128 Rayburn.

July 29, hearing entitled ''Alternatives for Promoting Liquidity in the Commercial Real Estate Markets, Supporting Businesses and Increasing Job Growth,'' 10 a.m., 2128 Rayburn.

July 29, Subcommittee on Capital Markets, Insurance, and Government Sponsored enterprises, hearing entitled ''Future of Housing Finance: The Role of Private Mortgage Insurance,'' 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, July 27, Subcommittee on Asia, The Pacific and the Global Environment, hearing on Climate Change Finance: Providing Assistance for Vulnerable Countries, 2 p.m., 2172 Rayburn.

July 27, Subcommittee on International Organizations, Human Rights and Oversight, hearing on Achieving the United Nationals Millennium Development Goals: Progress through Partnerships, 9:30 a.m., 2172 Rayburn.

July 28, full Committee, hearing on Turkey's New Foreign Policy Direction: Implications for U.S.-Turkish Relations, 10 a.m., 2172 Rayburn.

July 29, Subcommittee on Western Hemisphere, hearing on The Crisis in Haiti: Are We Moving Fast Enough? 9:30 a.m., 2172 Rayburn.

Committee on Homeland Security, July 27, Subcommittee on Emergency Communications, Preparedness, and Response, hearing entitled '' Interoperable Emergency Communications: Does the National Broadband Plan Meet the Needs of First Responders?'' 10 a.m., 311 Cannon.

July 28, full Committee, hearing entitled ''DHS Planning and Response: Preliminary Lessons from Deepwater Horizon,'' 10 a.m., 311 Cannon.

July 28, Subcommittee on Transportation Security and Infrastructure Protection, hearing entitled ''Lost in the Shuffle: Examining TSA's Management of Surface Transportation Security Inspectors,'' 2 p.m., 311 Cannon.

Committee on House Administration, July 29, Subcommittee on Capitol Security, hearing on U.S. Capital Police Budget Concerns, 11 a.m., 1310 Longworth.

Committee on the Judiciary, July 27, Subcommittee on Commercial Law, hearing on Federal Rulemaking and the Regulatory Process, 11 a.m., 2237 Rayburn.

July 28, Subcommittee on Crime, Terrorism and Homeland Security, hearing on Online Privacy, Social Networking, and Crime Victimization, 2 p.m., 2141 Rayburn.

July 29, Subcommittee on the Constitution, Civil Rights, and Civil Liberties, hearing on the American Dream Part III: Advancing and Improving the Fair Housing Act at the 5-year Anniversary of Hurricane Katrina, 2 p.m., 2141 Rayburn.

Committee on Natural Resources, July 27, Subcommittee on Insular Affairs, Oceans and Wildlife, hearing on the following bills: H.R. 3850, Nutria Eradication and Control Act of 2009; H.R. 3910, Longline Catcher Processor Subsector Single Fishery Cooperative Act; H.R. 4914, Coastal Jobs Creation Act of 2010; H.R. 5180, National Marine Fisheries Service Ombudsman Act of 2010; H.R., 5331, To revise the boundaries of John H. Chaffee Coastal Barrier Resources System Sachuest Point Unit RI–04P, Easton Beach Unit RI–05P, Almy Pony Unit RI–06, and Hazards Beach Unit RI–07 in Rhode Island; H.R. 5380, Hakalau Forest National Wildlife Refuge Expansion Act of 2010; and H.R. 5482, Corolla Wild Horses Protection Act, 10 a.m., 1324 Longworth.

July 28, full Committee, hearing on the following bills: H.R. 5023, Requirements, Expectations, and Standard Procedures for Executive Consultation with Tribes Act; H.R. 4384, To establish the Utah Navajo Trust Fund Commission; and H.R. 5468, Bridgeport Indian

Colony Land Trust, Health, and Economic Development Act of 2010, 10 a.m., 1324 Longworth.

July 29, Subcommittee on National Parks, Forests and Public Lands, oversight hearing entitled ''Building Success: Implementation of the Secure Rural Schools Program,'' 10 a.m., 1324 Longworth.

July 29, Subcommittee on Water and Power, oversight hearing entitled ''Investment in Small Hydropower: Prospects of Expanding Low-Impact and Affordable Hydropower Generation in the West,'' 10 a.m., 1334 Longworth.

Committee on Oversight and Government Reform, July 27, Subcommittee on Federal Workforce, Postal Service, and the District of Columbia, hearing entitled '' Female D.C. Code Felons: Unique Challenges in Prison and At Home,'' 10 a.m., 2154 Rayburn.

July 28, Subcommittee on Domestic Policy, hearing entitled ''Are Superweeds an Outgrowth of USDA Biotech Policy?'' 2 p.m., 2154 Rayburn.

July 29, full Committee hearing on the implementation of Iran sanctions, 10 a.m., 2154 Rayburn.

July 29, Subcommittee on Information Policy, Census, and the National Archives, hearing entitled ''Public Access to Federally-Funded Research,'' 2 p.m., 2154 Rayburn.

Committee on Science and Technology, July 28, Subcommittee on Energy and Environment, to mark up pending business, 10 a.m., 2318 Rayburn.

Committee on Small Business, July 28, hearing entitled ''Oversight of the Small Business Administration and Its Programs,'' 1 p.m., 2360 Rayburn

Committee on Standards of Official Conduct, July 29, Adjudicatory Subcommittee, to meet in the Matter of Representative Charles B. Rangel, 1 p.m., 1310 Longworth.

Committee on Transportation and Infrastructure, July 27, hearing on Recovery Act: Progress Report for Transportation Infrastructure Investments, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, July 27, Subcommittee on Disability Assistance and Memorial Affairs, to mark up pending business, 2 p.m., 334 Cannon.

July 27, Subcommittee on Oversight and Investigations, hearing on Gulf War Illness: The Future for Dissatisfied Veterans, 10 a.m., 334 Cannon.

July 28, full Committee, to continue oversight hearings of Inadequate Cost Control at the U.S. Department of Veterans Affairs, 10 a.m., 334 Cannon.

July 29, Subcommittee on Economic Opportunity, hearing on Licensure and Credentialing, 1 p.m., 334 Cannon.

Committee on Ways and Means, July 27, Subcommittee on Trade, hearing on Enhancing the U.S.-EU Trade Relationship, 1:30 p.m., 1100 Longworth.

July 29, Subcommittee in Income Security and Family Support, hearing to Review the Use of Child Welfare Waiver Demonstration Projects to Promote Child Well-Being, 10 a.m., B–318 Rayburn.

Permanent Select Committee on Intelligence, July 27, executive, briefing on Defense Intelligence Agency Program, 2 p.m., 304–HVC.

July 29, meeting to consider non-committee requests for access to classified information, 10 a.m., 304–HVC.

Joint Meetings

Commission on Security and Cooperation in Europe: July 27, to hold hearings to examine instability in Kyrgyzstan, focusing on the international response, prospects for stability, democracy, interethnic reconciliation, and implications for United States policy, 2:30 p.m., 210 Cannon Building.

Joint Economic Committee: July 27, to hold hearings to examine promoting a clean energy economy, 10 a.m., Room to be announced.

Next Meeting of the SENATE

3 p.m., Monday, July 26

Senate Chamber

Program for Monday: Senate will resume consideration of the motion to proceed to consideration of S. 3628, DISCLOSE Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Monday, July 26

House Chamber

Program for Monday: To be announced.

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