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No. 47

House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. WEST).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC
April 4, 2011.

I hereby appoint the Honorable ALLEN WEST to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

CONFLICT IN LIBYA

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. SHERMAN) for 5 minutes.

Mr. SHERMAN. Mr. Speaker, I rise to address three aspects of the conflict in Libya. The first of these is I think the most important. Our efforts to bring freedom and democracy to Libya should not be the occasion to undermine democracy and the rule of law here in the United States. Now there is considerable constitutional argument about the powers of the President. There are those who say he cannot

take any military action without first an action by Congress. But in 1802, President Jefferson sent American naval and marine forces, in the words of the song, to the shores of Tripoli, and the founding generation of this country thought that that was consistent with Presidential power. So those who think that the President has no power to ever engage, I think must look at our history, as well as the text of our Constitution.

At the same time, there are those who say the President can do anything without congressional approval, and I think those folks go way too far. The answer is the War Powers Act, the law of the land, and we need to make sure that it is followed.

Now that law not only requires various reports and consultation, it says that if hostilities are to continue for more than 60 days, that Congress must pass in both Houses a resolution authorizing such activity, and that if after 60 days Congress has not passed such resolution, then the President has 30 days to withdraw. This is the law of the land.

And yet last week in both private session and in public hearings, high ranking members of the State Department declared by their vagueness that they might not follow the War Powers Act. That is why it is critical that we as a Nation demand that even those who are sworn to uphold the law, follow the law themselves, and that we in Congress add to any spending bill a provision that says no funds shall be spent for the purpose of violating section 5 of the War Powers Act which some also refer to as the War Powers Resolution.

Second, who pays for all of this? The cost is far greater than the \$500 million to \$600 million being estimated by the Defense Department. I am a CPA. They are using the marginal cost approach, which is widely discredited. Any full costing will show what the American

people fully understand, and that is that this is costing us billions of dollars every week. Now, we have seized \$30 billion of Libyan assets, assets of Qadhafi that were invested here in the United States. Those assets should be used first before we use money collected from American taxpayers.

Libya produces more oil per capita than any nation you can find on a map without a magnifying glass; more oil per capita, per person, than even Saudi Arabia. I realize Libya will need to be rebuilt, but its oil revenues will return and provide for that. And we should quietly insist that the Benghazi council pass a resolution authorizing the United States to use those seized Libyan assets to fund our military efforts.

But there is something even more that we should insist on from those who are running eastern Libya, and that is that they use their best efforts, and I realize they are disorganized, to cut off their contact with and even seek to extradite those in their midst who have American blood on their hands. There is, for example, Mr. al-Hasadi who fought us in Afghanistan and Pakistan who brags that he dispatched soldiers to kill America's finest in Iraq, and who is now one of the rebel commanders. We should insist that such individuals be turned over to the United States, and if they can't find them, that they at least disassociate themselves.

Now, the administration responds by saying that Qadhafi has American blood on his hands. And I am sure that Qadhafi has, after Pan Am 103, more American blood on his hands than do any collection of rebel leaders. But is this the standard by which we judge those that we ask our men and women to die for, to put themselves in harm's way for, to kill for?

I do not think that it makes sense to say that the rebels should be aided as long as they have less American blood on their hands than does Mr. Qadhafi.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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The test of whether these rebels will be allies and friends of America, or the opposite, is whether they turn over or use their best efforts to turn over al-Hasadi to the United States.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 8 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SMITH of Nebraska) at 2 p.m.

PRAYER

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

Lord God, Your loving and sustaining presence breaks through certain moments of time. You enlighten Your people to take the next step and make the necessary decisions that will lead them through the maze of present needs.

Guide the Members of the House of Representatives, that priorities will reflect the full promise of Your compassion for those most in need, build greater justice, and secure the path of peace in this fragile and complex world.

Lord, be with us now and years to come.

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 Kansas (Mr. POMPEO) come forward and lead the House in the Pledge of Allegiance.

Mr. POMPEO 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.

DO WHAT IS RIGHT THIS WEEK

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

Mr. WILSON of South Carolina. Mr. Speaker, this is an important week for American families. The continuing resolution expires Friday. Liberals are

clearly responsible for a possible government shutdown.

The American people know spending is out of control with a record deficit in February of \$223 billion. Borrowing from creditors overseas is \$5 billion a day, putting American jobs at risk. Senior citizens are threatened with their savings and Social Security becoming worthless. Young people are being burdened with crushing debt which will lead to oppressive taxation.

How did this week arise?

The budget for this year was not adopted by the liberal House last year. The continuing resolution for this year was passed by the new conservative House but has not been adopted by the current liberal Senate.

Speaker JOHN BOEHNER has fought for the Pledge to America which the voters supported last November with a record of over 63 liberals being defeated. Senate liberals have been revealed scheming inflammatory name-calling of Republican Whip KEVIN MCCARTHY, instead of good faith negotiations.

I hope this week the Senate liberals put politics aside and do what is right for commonsense government. We cannot mortgage the future to happiness.

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

A COUNTRY WHERE WE MUST BRING DEMOCRACY

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

Mr. KUCINICH. It is said our government runs on a system of checks and balances. But when it comes to war, the administration writes all the checks and Congress doesn't know what the balance is. The administration can wage war and ignore Congress, says the Secretary of State. Shut up and keep giving them the money.

Expanding war expands the Pentagon, costing more than \$700 billion this year. That's 50 percent of discretionary spending. The United States funds 25 percent of NATO's military expenses.

All of these wars cost trillions. As of today, we will have spent \$805 billion to bring democracy to Iraq, \$443 billion to bring democracy to Afghanistan, perhaps over a billion dollars already to bring democracy to Libya.

I have an idea. Let's bring democracy to America. Instead of cutting programs for the poor, for children, for pregnant women, or shutting down the government, let's shut the wars down. Build bridges at home—don't blow them up abroad. Bring democracy to America. Jobs for all, health care for all, education for all, retirement security for all. End the wars.

CONGRATULATING WSU SHOCKER BASKETBALL

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

Mr. POMPEO. Mr. Speaker, today I rise to recognize the tremendous accomplishment of Wichita State University and its men's basketball team. Shocker Basketball is rich in tradition, with 10,000 screaming fans at nearly every game.

For the first time, Wichita State University is now the reigning champion of the National Invitation Tournament. Last Thursday, they finished their tourney run with a convincing victory over a worthy opponent, the Crimson Tide of the University of Alabama. This was a glorious cap to an excellent season.

This year, the Shockers won 29 games, the most in the university's history—losing two games to Final Four opponents during the season by a total of only five points.

It is my honor to congratulate Wichita State University, its President Don Beggs, athletic director Eric Sexton, the basketball team's head coach Gregg Marshall and his staff, and all the great young men who played their hearts out in New York to bring the title back to Wichita.

A great season for the mighty Shock-er Nation.

MTXE. Go Shox.

THE HUNGER FAST OF 2011

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

Mr. MCGOVERN. Mr. Speaker, the Hunger Fast of 2011, the efforts by anti-hunger leaders to highlight the draconian cuts to important, lifesaving programs included in H.R. 1, the House Republican budget proposal, continues to expand.

Every day the number of Hunger Fast participants increases. Every day awareness of these cuts to those programs that provide a circle of protection rises. Every day the resolve to fight these cuts grows.

I am thankful and proud of these brave Americans who are giving up food to fight against these harmful cuts to programs like WIC, as well as other important safety-net programs. This weekend, more joined this effort, including the heads and members of SEIU, MoveOn, and many others.

Budgets are moral documents, and the cuts in H.R. 1 cross that moral line. I stand with the participants of Hunger Fast in opposition to H.R. 1. Instead of cutting programs that help people get access to food and nutrition, we should commit ourselves to ending hunger in America.

Please go to www.hungerfast.org for more information.

TRIBUTE TO STACY LEWIS

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

Mr. WOMACK. Mr. Speaker, I rise today to celebrate a milestone in the

life of a lady professional golfer, Stacy Lewis, of The Woodlands, Texas, and of late, the University of Arkansas at Fayetteville.

Ms. Lewis won her first LPGA golf tournament yesterday in California—the Kraft Nabisco Championship, a major event on the LPGA tour.

Mr. Speaker, my purpose today is not necessarily to bring attention to a sporting achievement, but rather to acknowledge the hardship in this young lady's life that makes this accomplishment incredible.

Stacy suffered from scoliosis as a child and spent her teen years in a back brace. Only because of her drive and determination did she reach the pinnacle of women's professional sports. To add to that, she dominated the field the very week her grandfather passed away.

I am proud of Stacy Lewis. I admire her grit. Literally and figuratively, she has a spine of steel. I join her parents, Dale and Carol Lewis, and the Razorback Nation in saluting her for what we all hope is the first of many championship trophies.

TRIBUTE TO LARRY FINCH

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

Mr. COHEN. Mr. Speaker, today is many things in different people's lives. To many, it's the NCAA final tournament game. To many in my city of Memphis, Tennessee, it is a day that 43 years ago, Dr. Martin Luther King was assassinated. It's a holiday in my city, and we reflect on his great talents and his dream and reflect on all that we've learned since then.

But yesterday, the 3rd of April, a great Memphian named Larry Finch died. He put together those two events. He was a basketball player and a basketball star like none other in Memphis and maybe like none other in the United States of America. And he was a person who brought people together in the way that Dr. King dreamed they would. The city of Memphis was split and hurt and racially divided in 1968, and because of that racial divide, it caused Dr. King to have to come to Memphis to stand up for the sanitation workers and the right of employees to have bargaining units and a dignity in life. And Memphis was even racially hurt more because of that assassination.

But Larry Finch stayed home in Memphis, a local basketball player who really was the first great basketball star of African American descent to play at Memphis State. He took our team to the national finals in 1973, and he ignited the city like never before. Whites and blacks came together to cheer for Memphis State and for Larry Finch. He spent his entire life in Memphis and was our head coach for 11 years, winning more games at Memphis State than any coach in history.

He was a beloved individual who brought people together and didn't

know race. He died Saturday. He will have his homegoing this coming Saturday.

I show you the Memphis Commercial Appeal from the day after he died: "The Greatest." The entire first section is nothing but Larry Finch and his story from Orange Mound, Tennessee, and Melrose High School to Memphis State and the Final Four, where he had 29 points—and we would have won but for Bill Walton having the game of his life.

I mourn my friend Larry Finch. The city of Memphis mourns Larry Finch. Sports can be more than winning and losing. Larry Finch did that. He was a great American. We're lucky he came this way for the people of Memphis and our Nation.

□ 1410

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record vote on the postponed question will be taken after 6:30 p.m. today.

REDUCING DEFENSE DEPARTMENT PRINTING AND REPRODUCTION BUDGET

Mr. WEST. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1246) to reduce the amounts otherwise authorized to be appropriated to the Department of Defense for printing and reproduction.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1246

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

SECTION 1. REDUCTION IN AMOUNTS OTHERWISE AUTHORIZED TO BE APPROPRIATED TO THE DEPARTMENT OF DEFENSE FOR PRINTING AND REPRODUCTION.

The following amounts otherwise authorized to be appropriated for fiscal year 2012 for the Department of Defense are hereby reduced by 10 percent:

(1) The amount for Operation and Maintenance for the Army, for printing and reproduction.

(2) The amount for Operation and Maintenance for the Navy, for printing and reproduction.

(3) The amount for Operation and Maintenance for the Marine Corps, for printing and reproduction.

(4) The amount for Operation and Maintenance for the Air Force, for printing and reproduction.

(5) The amount for Operation and Maintenance for Defense-wide activities, for printing and reproduction.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. WEST) and the gentle-

woman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. WEST. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise to support H.R. 1246. It is a simple, commonsense bill that calls for an overall 10 percent reduction in the printing and reproduction costs of the Department of Defense.

More importantly, the American people support H.R. 1246, as more than 150,000 people voted online via the YouCut program on passing this bill. The American people are behind this, and we need to be behind the American people. H.R. 1246 will help us keep our promise to the American people that we will cut waste, fraud and abuse in government spending and spend taxpayer dollars more efficiently, and that includes every department or agency.

In fiscal year 2012, the Department of Defense proposes to spend \$357 million for printing and reproduction services. Now, I am not arguing that paper copies are no longer needed. We all still rely on paper. But I do not understand why we need examples of these expensive, high-gloss color briefing slides and slick books that the DOD sends over here for everything from briefing slides to budget rollouts and miscellaneous reports. If anyone is interested, the House Armed Services Committee has a boatload of these fancy printed reports. I think the information that DOD needs to get to us, as well as share internally amongst themselves or with the public, can just as easily be conveyed using plain black-and-white copies that are printed on both sides. Nowadays, a lot can be transmitted electronically.

During my 22 years of active duty service in the United States Army, I witnessed the growth of the excessive PowerPoint briefs and reproduction. I am well aware of areas where saving money is very possible, and this is one of those areas.

These cuts are aimed at wasteful Defense Department spending and will not affect the overall mission of our men and women in uniform in protecting our national security. Mr. Speaker, a mere 10 percent reduction to this one account would save taxpayers \$35.7 million in fiscal year 2012 and nearly \$180 million over the next 5 years. We owe it to the taxpayers to take this step.

Now, this may seem like a small amount to some, but imagine if every Member of Congress, all 435 of us, took it upon ourselves to do the exact same

and find where we could cut some wasteful spending. We would regain the trust and confidence of the American people as good stewards of their resources. Let's pass H.R. 1246.

I reserve the balance of my time.

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

H.R. 1246 is an innocuous-sounding bill that proposes to help reduce Federal spending and reduce waste by cutting 10 percent of the Pentagon's printing and reproduction services budget. I believe most of us would agree that the goal of H.R. 1246, to reduce dependence on paper copies in a time of proliferating electronic media, is one that most of us would find reasonable.

In effect, however, the bill does little to address the much more serious deficit issues facing our Nation today, including issues in the defense arena that should be thoughtfully debated by Members of this Congress. The bill is estimated to save some \$35.7 million in fiscal year 2012, and then another \$180 million over the next 5 fiscal years, which hardly makes a dent in the multitrillion-dollar deficit facing our Nation.

One could also argue that the bill is ill-timed, coming on the heels of increasing requests for the Department of Defense to produce documents for oversight being conducted by congressional committees. Indeed, requests from the Congress for required reports, including, Mr. Speaker, from our own House Armed Services Committee, number in the hundreds and thousands. So it would seem somewhat hypocritical of us to be cutting funding for printing and reproduction services when we, we Members of Congress, are asking for more and more and more reports.

Mr. Speaker, while I will not encourage my colleagues to oppose this bill, I consider it a bad use of valuable floor time that could be used to address legislation to put this country on a track toward greater fiscal responsibility.

I reserve the balance of my time.

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

Mr. Speaker, I would say this. I do believe that we must take a first step when we talk about deficit reduction. I think that this is one of the important things. As I said in my statement, if each and every one of us in this House, all 435, made the effort to find these instances of fraud, waste and abuse, then we could have more significant cuts into our deficit and, of course, into our debt. And I think at a critical time when, the gentlewoman from Guam just stated, maybe perhaps also following along with this, we do need to look at the amount of requests for reports that we are having.

But still, as we are talking about efficiency in the Department of Defense, this is a first step toward that efficiency occurring. And I think that anyone that would not be willing to support this says that they are not willing to take that first step toward getting

the Department of Defense and all our departments and all of our agencies to be more effective and more efficient. But as well, that does start with us here in the Members of the House of Representatives.

I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I would like to correct the previous speaker.

There are 435 voting Members of Congress, but there are 441 Members of the United States House of Representatives. Although I represent a territory and I am not allowed to vote, I do make requests during committee time for reports.

I just wanted to make that correction.

I reserve the balance of my time.

□ 1420

Mr. WEST. Mr. Speaker, at this time I have no further requests, and also apologies to you, Madam.

I am prepared to close after my colleague has yielded back her time.

I continue to reserve the balance of my time.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. WEST) that the House suspend the rules and pass the bill, H.R. 1246.

The question was taken.

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

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

The yeas and nays were ordered.

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

RECESS

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

Accordingly (at 2 o'clock and 21 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

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

REDUCING DEFENSE DEPARTMENT PRINTING AND REPRODUCTION BUDGET

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on the motion to suspend the rules previously postponed.

The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1246) to reduce the amounts otherwise authorized to be appropriated to the Department of Defense for printing and reproduction, 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 Florida (Mr. WEST) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 393, nays 0, not voting 39, as follows:

[Roll No. 225]

YEAS—393

Ackerman	Cooper	Hall
Adams	Costa	Hanabusa
Aderholt	Costello	Hanna
Akin	Courtney	Harper
Altmire	Cravaack	Harris
Amash	Crawford	Hartzler
Austria	Crenshaw	Hastings (FL)
Bachmann	Critz	Hastings (WA)
Bachus	Crowley	Hayworth
Baldwin	Cuellar	Heck
Barletta	Culberson	Heinrich
Barrow	Cummings	Heller
Bartlett	Davis (CA)	Hensarling
Barton (TX)	Davis (IL)	Herger
Bass (CA)	Davis (KY)	Herrera Beutler
Bass (NH)	DeFazio	Higgins
Becerra	DeGette	Himes
Benishek	DeLauro	Hinojosa
Berg	Denham	Hirono
Berkley	Dent	Holt
Berman	DesJarlais	Honda
Biggart	Deutch	Hoyer
Blibray	Diaz-Balart	Huelskamp
Bilirakis	Dicks	Huizenga (MI)
Bishop (GA)	Dingell	Hultgren
Bishop (NY)	Doggett	Hunter
Bishop (UT)	Dold	Hurt
Blumenauer	Donnelly (IN)	Inslee
Bonner	Doyle	Israel
Boren	Dreier	Issa
Boswell	Duffy	Jackson (IL)
Boustany	Duncan (SC)	Jenkins
Brady (TX)	Duncan (TN)	Johnson (GA)
Braley (IA)	Edwards	Johnson (OH)
Brooks	Ellison	Johnson, E. B.
Broun (GA)	Ellmers	Johnson, Sam
Brown (FL)	Emerson	Jones
Buchanan	Eshoo	Jordan
Bucshon	Farenthold	Kaptur
Buerkle	Farr	Keating
Burgess	Filner	Kelly
Burton (IN)	Fincher	Kildee
Butterfield	Fitzpatrick	King (IA)
Calvert	Flake	King (NY)
Camp	Fleischmann	Kingston
Campbell	Fleming	Kinzinger (IL)
Canseco	Flores	Kissell
Cantor	Forbes	Kline
Capito	Fortenberry	Kucinich
Capps	Fox	Labrador
Capuano	Frank (MA)	Lamborn
Cardoza	Franks (AZ)	Lance
Carnahan	Fudge	Langevin
Carney	Gallely	Lankford
Carson (IN)	Garamendi	Larsen (WA)
Carter	Gardner	Larson (CT)
Cassidy	Garrett	Latham
Castor (FL)	Gerlach	LaTourette
Chabot	Gibbs	Latta
Chaffetz	Gibson	Levin
Chandler	Gingrey (GA)	Lewis (CA)
Chu	Gonzalez	Lewis (GA)
Cicilline	Goodlatte	LoBiondo
Clarke (MI)	Gosar	Loebuck
Clarke (NY)	Gowdy	Loftgren, Zoe
Clay	Granger	Long
Cleaver	Graves (GA)	Lowey
Clyburn	Graves (MO)	Lucas
Coble	Green, Al	Luetkemeyer
Coffman (CO)	Green, Gene	Lujan
Cohen	Griffin (AR)	Lummis
Cole	Griffith (VA)	Lungren, Daniel
Conaway	Grimm	E.
Connolly (VA)	Guinta	Lynch
Conyers	Guthrie	Mack

Maloney	Platts	Sherman
Manzullo	Polis	Shimkus
Marchant	Pompeo	Shuster
Marino	Posey	Simpson
Markey	Price (GA)	Sires
Matheson	Price (NC)	Smith (NE)
Matsui	Quayle	Smith (NJ)
McCarthy (CA)	Quigley	Smith (TX)
McCarthy (NY)	Rahall	Smith (WA)
McCauley	Rangel	Southerland
McClintock	Reed	Speier
McCollum	Rehberg	Stark
McCotter	Reichert	Stearns
McDermott	Renacci	Stivers
McGovern	Reyes	Stutzman
McHenry	Richardson	Sullivan
McIntyre	Richmond	Terry
McKeon	Rigell	Thompson (CA)
McKinley	Rivera	Thompson (MS)
McMorris	Roby	Thompson (PA)
Rodgers	Roe (TN)	Thornberry
McNerney	Rogers (AL)	Tierney
Meehan	Rogers (KY)	Tipton
Meeks	Rogers (MI)	Tonko
Mica	Rohrabacher	Towns
Michaud	Rokita	Tsongas
Miller (FL)	Rooney	Turner
Miller (MI)	Ros-Lehtinen	Upton
Miller, Gary	Roskam	Van Hollen
Miller, George	Ross (AR)	Velázquez
Mulvaney	Ross (FL)	Visclosky
Murphy (CT)	Rothman (NJ)	Walberg
Murphy (PA)	Roybal-Allard	Walden
Myrick	Royce	Walsh (IL)
Nadler	Runyan	Walsh (MN)
Napolitano	Ruppersberger	Wasserman
Neal	Rush	Schultz
Neugebauer	Ryan (OH)	Watt
Noem	Ryan (WI)	Waxman
Nugent	Sánchez, Linda	Webster
Nunes	T.	Weiner
Olson	Sanchez, Loretta	Welch
Owens	Sarbanes	West
Palazzo	Scalise	Westmoreland
Pallone	Schakowsky	Whitfield
Pascarella	Schiff	Wilson (FL)
Pastor (AZ)	Schilling	Wilson (SC)
Paul	Schock	Wittman
Paulsen	Schrader	Wolf
Pearce	Schwartz	Womack
Pelosi	Schweikert	Woodall
Pence	Scott (SC)	Woolsey
Perlmutter	Scott (VA)	Wu
Peters	Scott, Austin	Yoder
Peterson	Sensenbrenner	Young (AK)
Petri	Serrano	Young (IN)
Pingree (ME)	Sessions	
Pitts	Sewell	

NOT VOTING—39

Alexander	Hinchey	Payne
Andrews	Holden	Poe (TX)
Baca	Jackson Lee	Ribble
Black	(TX)	Schmidt
Blackburn	Johnson (IL)	Scott, David
Bono Mack	Kind	Shuler
Brady (PA)	Landry	Slaughter
Engel	Lee (CA)	Sutton
Fattah	Lipinski	Tiberi
Frelinghuysen	Miller (NC)	Waters
Giffords	Moore	Yarmuth
Gohmert	Moran	Young (FL)
Grijalva	Nunnelee	
Gutierrez	Oliver	

□ 1852

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BACA. Mr. Speaker, on Monday, April 4, 2011, had I been here, I would have voted in support of H.R. 1246—To reduce the amounts otherwise authorized to be appropriated to the Department of Defense for printing and reproduction.

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent for votes in the House Chamber today. Had I been present, I would have voted “yea” on rollcall vote 225.

Ms. JACKSON LEE of Texas. Mr. Speaker, I was detained in my congressional district, therefore I could not be present for the vote today on Monday, April 4, 2011. If I were present I would have voted “yea” for the following bill: H.R. 1246—To reduce the amounts otherwise authorized to be appropriated to the Department of Defense for printing and reproduction.

Mrs. BLACK. Mr. Speaker, on rollcall No. 225 for final passage of H.R. 1246, I am not recorded. Had I been present, I would have voted “yea.”

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 1323

Mr. McKEON. Mr. Speaker, I ask unanimous consent to be removed as a cosponsor from H.R. 1323.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF
H.J. RES. 37, DISAPPROVING FCC
INTERNET AND BROADBAND
REGULATIONS

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 112-53) on the resolution (H. Res. 200) providing for consideration of the joint resolution (H.J. Res. 37) disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices, which was referred to the House Calendar and ordered to be printed.

ANNOUNCING THE PASSING OF
FORMER CONGRESSMAN JOHN
ADLER

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

Mr. SMITH of New Jersey. Mr. Speaker, I rise to convey to the House the extremely sad news that our former colleague from New Jersey, John Adler, passed away earlier today. Congressman Adler recently underwent emergency heart surgery at the University of Pennsylvania Hospital in an attempt to resolve a staph infection. John Adler was 51.

In Congress, John served with distinction on both the Financial Services and Veterans' Affairs Committees. As a New Jersey State Senator for 17 years, John served as chairman of the Senate Judiciary Committee and sponsored laws requiring pension forfeitures and mandatory prison for corrupt officials and to require smoke-free places. He also sponsored legislation to address environmental and health issues.

Mr. Speaker, John Adler had a razor-sharp wit, tenacity, an extraordinary sense of humor and a great big smile, and we will miss him. I, along with my colleagues, extend our deepest con-

lences to Shelley, his wife, and their four sons.

REMEMBERING AND MOURNING
JOHN ADLER

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

Mr. PALLONE. Mr. Speaker, I can't believe that John Adler's life was cut so short. I really want to reach out to Shelley, his children, and his friends. Our heartfelt condolences go out to the entire Adler family. John was a friend, my wife was a friend with his wife, and my daughter was a friend of one of his sons.

It is amazing to me that he was able to accomplish so much in the short time that he was here. He grew up in real adversity. He was really kind of a person—I wouldn't say rags to riches, but I would say someone who had a very hard life growing up and at a young age was very successful, went to Harvard undergraduate, Harvard Law School, became a successful attorney, and then became a member of the State Senate for many years and chairman of the State Senate Judiciary Committee before he was elected to Congress. But beyond that, he also had a great sense of humor. I think many of us know many times when we were on the floor and you would go up and ask him about something, and he would tell you a joke or make fun of something. That was another aspect of him that I could certainly never forget.

He decided at a young age that he was going to make a life in government. He could have done so many things, made a lot of money, but instead decided to devote his life to politics. My heart goes out to him. I want to remember him as an admirable example for so many of us.

REMEMBERING AND MOURNING
JOHN ADLER

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

Mr. RUNYAN. Mr. Speaker, I rise this evening to express my sincere condolences to the family and friends of former Congressman John Adler. My deepest sympathies go out to those that knew him best and loved him most, his wife, Shelley, and their four sons—Jeffrey, Alex, Andrew, and Oliver.

Congressman Adler was a committed and compassionate public servant who fought tirelessly for the causes in which he believed. His legacy of public service includes elected office as a council member in Cherry Hill, New Jersey, his tenure in the New Jersey State Senate, and representing New Jersey's Third Congressional District here in the United States House of Representatives.

Mr. Speaker, words often fail to accurately reflect the true measure of one's life, but I hope that Shelley, their sons,

and extended family and friends may take comfort in John's many accomplishments and knowing that his lifetime of public service has left a lasting legacy for which they can be most proud.

REMEMBERING AND MOURNING JOHN ADLER

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

Mr. HOLT. Mr. Speaker, I, too, rise in shock and sympathy at the loss, the death of John Adler, and send my sympathy and condolences to Shelley and the family.

I won't recount his many accomplishments or paint a full picture of John Adler, a truly wonderful public servant. I hope there will be occasion for the testimonial and memorial here at another time. But I do want to express to his many friends and many admirers sympathy and condolences.

John Adler was dedicated to the service of the people of New Jersey. And you will hear again and again, if you didn't know John, about his wonderful cheerfulness and humor that he showed in good times and in bad.

A good friend to many of us, a friend to the people of New Jersey—a real loss.

□ 1900

PASSING OF JOHN ADLER

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

Mr. LANCE. I am shocked and saddened to learn of the passing of John Adler at age 51. John was a friend of mine for 20 years. We served together in the New Jersey State Senate for 7 years sitting next to each other, divided only by the center aisle.

When we arrived in Washington in 2009, John and I were the only freshmen Members of Congress from New Jersey. We worked together on many issues here and served together on the Financial Services Committee. I believe John Adler worked for the best interests of New Jersey and, more recently, for the entire Nation.

My wife, Heidi, and I are friends with the Adler family, including John's beloved wife, Shelley, and their four sons—Jeffrey, now at Harvard, Alexander at Cornell, Andrew, and Oliver.

Heidi and I extend our deepest sympathy to the Adler family. Today our hearts are broken and we are devastated.

REMEMBERING JOHN ADLER

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

Mr. ANDREWS. Mr. Speaker, for those of us who've known John for a

long time and who have loved and cherished him, this is a very tragic and difficult occasion. I hope that Shelley and his boys know, in the depths of their grief, the breadth of love and respect for John that people feel tonight.

His loss is tragic beyond words, but we can, for a moment, celebrate a victory over tragedy tonight that one person in 51 brief years could touch the lives and achieve the achievements that John Adler did in his life. His life was far too short, but it was rich, it was filled with laughter and achievement, and those of us who have been touched by his friendship count ourselves richer for the benefit of that.

May God bless his family and rest his soul.

RECOGNIZING EXPLORAVISION REGIONAL FINALIST FROM OUR LADY OF LOURDES ACADEMY

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise tonight to recognize the success of a local group of ninth grade students from my congressional district in south Florida, Our Lady of Lourdes Academy.

Guided by their teacher, Susan Fleming, these four young ladies—Gabriela Ballesteros, Christina Gutierrez, Lauren Lopez, and Diana Lopez—have been selected as regional winning finalist in the Toshiba/National Science Teachers Association ExploraVision competition.

This group of intelligent young ladies envisioned an innovative proposal for medical technology, a surgical procedure that would treat patients whose vocal cords have been paralyzed, allowing them to speak again. Their groundbreaking idea was selected from over 4,000 entries and over 13,000 students.

Innovative students like these four impressive girls will help lead our Nation into the future, and I wish them much success in the upcoming national judging phase.

LOCAL TAXPAYER RELIEF ACT OF 2011

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

Ms. HIRONO. Mr. Speaker, before I talk about the bipartisan Local Taxpayer Relief Act, to reauthorize Impact Aid, before I go to that, I, too, would like to add my condolences to the family of John Adler.

John and I used to do yoga and tai-chi together—he much more often than I—at 6:30 in the morning. I got to know him and to really admire him for the commitment that he had to be of service. And the times that I would miss our tai-chi sessions, he would say, “We missed you, Mazie.”

We miss you, John.

IMPACT AID

Most public school funding comes from local property taxes. However, in areas with Federal property, Indian lands, or military bases, school districts cannot collect these needed revenues. Without relief, taxpayers in these federally impacted areas would need to pay more to support the same level of education as other districts.

The bipartisan bill that I am introducing today would make sure that these districts would have the kind of Federal support through Impact Aid that they need to ensure that all of our students, our children, have the kind of good education they deserve. Impact Aid supports over 12 million children in more than 1,300 school districts in every single State, D.C. and the U.S. territories.

I want to acknowledge the work of the National Association of Federally Impacted Schools, NAFIS, who worked tirelessly to bring this bill to the floor. The Impact Aid Coalition includes 105 Members of Congress.

I thank my principal cosponsor Congresswoman KRISTI NOEM of South Dakota for her partnership, and I urge all my colleagues to support the bill.

DEMOCRATS' PLAN TO SHUT DOWN THE FEDERAL GOVERNMENT

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

Mr. BROUN of Georgia. Mr. Speaker, I rise today for one reason—to expose the Democrats' carefully designed plan to shut down the Federal Government.

This Friday, the short-term continuing resolution expires, but the Democrats have yet to offer any real solutions for our budget mess. They just want to keep on spending, taxing, and borrowing. I believe they're dodging their responsibilities on purpose.

The Democratic leadership is trying to back us into a corner with only two ways out: keep spending money at their outrageous levels or shut down the government. We are in an economic emergency, and neither of these options will do anything for America's financial crisis. I believe they actually want to shut down the government for their own political purposes.

Mr. Speaker, I implore my Democrat colleagues to do what is right for America—to get serious about cutting spending before we find ourselves so deeply mired in debt that digging out becomes impossible.

THE CLEAN AIR ACT MUST BE KEPT ALIVE

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

Mr. INSLEE. Mr. Speaker, we will all breathe easier if we are able to reach a bipartisan consensus about this budget impasse that we now have. But we will

not all breathe easier if the Republicans succeed in essentially eliminating the ability of Uncle Sam to enforce the Clean Air Act.

Now, I know it seems pretty shocking, but the fact of the matter is, tonight, as these discussions are going on, the Republicans want to put a rider—one of these noxious viruses on a bill—a rider that would make it illegal for the Environmental Protection Agency to protect our children's health against asthma in enforcing the Clean Air Act.

Now, this is pretty amazing. It cannot stand. We are encouraged that the majority leader has said they will not allow these riders.

Let's get a compromise to deal with this deficit, not make it harder for our kids to breathe, not make it easier for asthma to ravage our kids, and let's preserve a bipartisan success in the Clean Air Act.

10TH ANNIVERSARY OF MICROSOFT IN FARGO, NORTH DAKOTA

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

Mr. BERG. Today I would like to recognize the 10th anniversary of Microsoft having invested in Fargo, North Dakota. Since coming to North Dakota, Microsoft has helped to create hundreds of jobs, and it's increased the economic opportunity in our State.

Ten years ago tomorrow, Microsoft acquired Great Plains Software in Fargo, a local homegrown company. At the time, Great Plains employed 800 people. Today, there are more than 1,500 people working in Fargo for Microsoft. And the Microsoft campus continues to grow. In fact today, there are more than 60 open positions at Microsoft looking for people.

This is what our country needs throughout all the States. I am pleased that companies like Microsoft have felt confident in investing in our State and our people.

Congratulations to Fargo Microsoft employees on your 10-year anniversary, and thank you for the positive work you've done for the Fargo community.

□ 1910

IN MEMORY OF FORMER REPRESENTATIVE JOHN ADLER

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

Mr. COHEN. Mr. Speaker, it is on days like this in the House when you lose a colleague, John Adler, who passed, served in the previous Congress, that you realize how many good men and women come and serve in this House of Representatives, and what an honor it is to serve with them and to spend time with them while they are here on this Earth. It is also a reminder on how sometimes good people

pass early, so we need to all enjoy each day the opportunity that God has given for us to live.

John Adler was a fine man, he served honorably in this Congress, and he cared about human beings. He was my friend, and I will miss him.

CELEBRATING THE PATTERSON FAMILY

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

Mr. TIPTON. Mr. Speaker, tonight I rise to celebrate an American family in Colorado. Steve and Angie Patterson, in Denver, Colorado, have three wonderful children, Caid, Marin, and tonight we pay special tribute to their son Jake, celebrating his 10th birthday. They will soon be the next generation of Americans leading this country, making choices. The choices that we make in this place will impact their lives and their future. They are counting on us to do the right thing.

Mr. Speaker, tonight I wish that they have a very happy celebration together for the family, and we wish them the best.

IN MEMORY OF FORMER REPRESENTATIVE JOHN ADLER

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

Mr. ROTHMAN of New Jersey. Mr. Speaker, I too am here to acknowledge the passing of a wonderful human being and my friend, John Adler. Congressman John Adler served in the House of Representatives representing a portion of our State of New Jersey. John was a hysterically funny guy, brilliant. He was a loving husband, a loving father to four outstanding young men.

He was a leader in the New Jersey State Senate, recognized for his intelligence and his contribution to the people of New Jersey. I am still in shock at his passing. He did not deserve to die young. He was such a good man. I want to convey my thoughts and prayers to his wonderful wife, Shelley, and to their four sons, Jeffrey, Alex, Andrew, and Oliver, on the passing of this great and good and wonderful man, John Adler.

HONORING JERRY SLOAN

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

Mr. SHIMKUS. Mr. Speaker, I want to congratulate a native southern Illinoisan and a living legend in the sport of basketball, Mr. Jerry Sloan of McLeansboro, Illinois, who retired recently as head coach of the NBA's Utah Jazz. Jerry never forgot his humble roots. Throughout his playing and coaching career, he exhibited a hard-

work ethic, a down-to-Earth demeanor, and an unassuming style.

Jerry ended what was the longest tenure with the same team of an active head coach in the four major sports leagues. He is third on the all-time NBA wins list with 1,221.

Jerry was an outstanding athlete at McLeansboro High School and played college basketball at the University of Evansville, leading the Purple Aces to consecutive Division II national championships. He was drafted into the NBA by the Baltimore Bullets and then went to the Chicago Bulls in the expansion draft. He played 10 years with the Bulls and has his No. 4 jersey retired by the team.

In 1979, Jerry was named head coach of the Bulls. He resigned in 1982 and joined the Jazz as an assistant coach in 1984. He became the Jazz head coach in 1988. Jerry led the Jazz to the NBA finals twice. He was inducted into the Naismith Basketball Hall of Fame in 2009. Jerry is a gracious, honest, tractor-loving guy. He will be missed in Utah, but those of us in southern Illinois will welcome the chance to see him more often.

IN MEMORY OF FORMER REPRESENTATIVE JOHN ADLER

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

Mr. WELCH. John Adler was in the class just after me, and I got to know him well because the freshman and sophomore classes went through learning how to serve in this Congress together. I also got to know him because we happened to have our lockers in the same section of the gym. And I am stunned, as we all are.

But what was so amazing to me, in my getting to know John Adler, was I learned about his Harvard education, the college and the law school. I had some assumptions about him that he had a much more prosperous early life than he did. He had to earn everything that he got. I also learned about the challenges that he faced. And what was clear to me, as it was to all of us who got to know him, is that he was a person who made a decision that whatever the challenge, he was going to face it with good humor, with optimism, with a sense of doing the work because it was worth doing in and of itself.

I also remember many times asking him about his weekend; and what he always responded with was something about his family. It wasn't about the speech he gave; it wasn't about the press release or a story in the paper on TV. It was always, every single time, about his family. John Adler was a good friend. He will be missed. A wonderful, wonderful servant in Congress.

GOP DOCTORS CAUCUS

The SPEAKER pro tempore (Mr. GIBBS). Under the Speaker's announced

policy of January 5, 2011, the gentleman from Georgia (Mr. GINGREY) is recognized for 60 minutes as the designee of the majority leader.

Mr. GINGREY of Georgia. Mr. Speaker, what we are going to do here for the next hour is talk about why we feel so strongly the need to repeal, and if not successful, to defund so many provisions of the Patient Protection and Affordable Care Act.

But, Mr. Speaker, before I get started in the subject at hand, I do want to join my colleagues, particularly my colleagues on the Democratic side of the aisle, in remembering our colleague John Adler. I didn't realize that John had been sick. I didn't realize that John had had surgery. I didn't realize until just moments ago that our colleague from New Jersey had died. As I sat here listening to the New Jersey delegation on both sides of the aisle talk about John, it helped me understand a little bit better about him.

All I know about John is that he was a great guy and a really, really nice Member of this body and someone that I respected. I got to know him, Mr. Speaker, in the House gym at 6 o'clock in the morning usually. He would be working out, and I would be working out—I am 15 years older than John was—and we just struck up a good friendship. I truly will miss him, as well as my other colleagues, as they express their sympathy to his wife and his four sons. But truly a great Member.

It reminds me too, Mr. Speaker, that as we do our work, as we do our work with 1-minute, and we do our work with 5-minute Special Orders, and now this leadership hour talking about a very important issue that our colleagues on the other side of the aisle for the most part, almost 100 percent of them feel very differently about this issue, we differ on a lot of things, and we will continue to do that. It has gone on forever.

But the point I would like to make, and I will conclude with this, is that there are 435 people in this House of Representatives. And sometimes we Republicans are in the majority and sometimes the Democrats are in the majority, and the worm turns, and nothing is forever.

But we have good, decent men and women serving here representing their districts and doing the work of the people. And God bless them. God bless each and every one of them. God bless a Member like John Adler, who died much too young, as my colleagues have said already.

But we want to always keep in mind that as we argue and debate and make points and feel very strongly about an issue, that doesn't mean we don't love one another. And we do. And I loved John Adler. He was a great Member of this body.

Mr. Speaker, again here we are, though, getting right back into the business at hand. And this is a hugely important week, a hugely important

week as we try to come to some conclusion in regard to how much money we need to cut out of, not this fiscal year we are in right now, but the last fiscal year, which started—well, actually we are in the fiscal year, but it started on October 1 of 2010.

□ 1920

Here we are, what is it, the 4th of April, 2011, so half of the fiscal year has already expired and we have not funded the government except in this piecemeal fashion.

We didn't have a budget, we didn't have spending bills, and we put these little 2-week Band-Aids, 2, 3 weeks, a little bit of cutting, but from my perspective and from my side of the aisle and our leadership not nearly, nearly enough. And we are faced with this tremendous issue of trying to reach a compromise and an agreement to lower spending.

The American people certainly gave a mandate, I think, to 87 new Republicans and 9 new Democrats to come up here and quit all this spending. Let's not have \$1.5 trillion deficits year after year after year. That's how you get to \$14 trillion worth of debt, and that's what we are facing right now; and, indeed, in a month or so, we are going to be asked to even raise that debt ceiling statutorily to say, well, we will continue to borrow and kick the can down the road.

Obviously, Mr. Speaker, these are times that try men and women's souls, and we all feel very strongly about our position. But I know my leadership and Members on this side of the aisle, and I hope our Democrat colleagues, feel the same way. We hope and pray that we can do the people's work and cut this spending and get this country back on a sound fiscal footing so that as we go forward to the 2012 budget, which we will hear about tomorrow, that we will continue to work hard to finally balance this budget and get our country out of this significant debt.

Speaking of debt, Mr. Speaker, the reason I am here tonight, I represent the caucus on the Republican side of the aisle known as the House GOP Doctors Caucus. There are, I think, 21 of us now, doctors and nurses on this side of the aisle, with just years and years of clinical experience.

As an example, I spent 26 years practicing my specialty of obstetrics and gynecology. We have registered nurses that are part of the Doctors Caucus. We have specialists, general surgeons, cardiothoracic surgeons, family practitioners, gastroenterologists. I could go on and on, but some of them, hopefully, will be with me during this hour, will join me in a few minutes to talk a little bit more about our concerns, their concerns, Mr. Speaker, with the Patient Protection and Affordable Care Act of 2010.

This was a bill, a law, that was finally passed and signed by President Obama on March 23, 2010, after about a year and a half of debating the issue in

both this Chamber and in the Senate Chamber; and when it finally came down to the reality that there weren't enough votes on the Senate side, it was passed by something called reconciliation which, to this day, I don't think the American people understand. But, Mr. Speaker, I will tell you this, what they do understand is they don't like it, they didn't like the process, and they don't like the policy.

Now, I have heard the President say, and I have heard the Democratic leadership in the 111th Congress, when this bill was passed, talk about how Congress and particularly the Democratic Members have been trying to pass a comprehensive massive health care reform law for almost 100 years. They talked about Franklin Delano Roosevelt, and they talked about John Fitzgerald Kennedy and they talked about, of course, President Bill Clinton and saying, you know, we finally got there, we finally did it, we finally accomplished what we were trying to do for almost 100 years.

Well, they missed the point, Mr. Speaker, because the reason why that type of legislation was not passed in 100 years is because the American people back then didn't want it anymore than they do today; and some 62 percent still say, very loudly and very clearly, in poll after poll after poll, we don't want the Federal Government taking over health care, one-sixth of our economy, lock, stock and barrel. We don't want that.

We want improvement in our health care; and no matter how good something might be, there is always room for improvement and, clearly, our health care system is too expensive. We agree with that. I think Members on both sides of the aisle can reach that conclusion pretty clearly.

So there is agreement to try to do everything we can to continue to provide the best health care in the world. It's not true when people say our health care system is like that of a Third World country. Nothing could be further from the truth. We have the greatest health care system in the world, and some of the doctors in the House GOP caucus will be with me tonight to talk about that.

You know the old expression, don't throw the baby out with the bath water, I think that's what we have tended to do here. We have enacted into law—on March 23 of last year, it's already had its 1-year anniversary a couple of weeks ago—we have done something that I think is not only opposed to what the American people want, you should never do that, but it's bad, it's bad medicine.

It's bad for consumers, it's bad for patients, it's certainly bad for corporate America. And it's absolutely bad for the taxpayer. It's a top-down sort of system where a bureaucracy comes between literally and figuratively a doctor and his or her patient. That's not a prescription for improving our health care system.

I have got a couple of posters here with me, and I wanted to reference these to my colleagues. In fact, I will have several more, but I am going to keep this one up on my far left, that one that shows the picture, I forget what his name is. Maybe one of my colleagues will remember.

Mr. BROUN of Georgia. Boss Hogg.

Mr. GINGREY of Georgia. Well, I remember Boss Hogg, but I was trying to remember what the actor's name is; I don't think he is still living. But I think most of my colleagues do remember Boss Hogg from that old series "The Dukes of Hazzard." It was one of my favorites, kind of like poking fun at ourselves, really; sort of like Archie Bunker and "All in the Family" and things like that that those of us who have been around awhile can look back on and laugh and get a chuckle out of it.

But Boss Hogg sort of represents the boss, the bureaucracy, if you will, of the government, Big Government, running health care. Under old Boss Hogg's picture, there he is with that cigar in his hand: you can have whatever you like as long as the boss approves it.

And that's really the way it has turned out, what we talked about in the House. I think it was H.R., House of Representatives, bill No. 3200. It was Senate bill 3590 or H.R. 3590, a shell bill that came over from the Senate and finally was passed into law and became known as the Patient Protection and Affordable Care Act.

But that law has so much bureaucracy, and I will get into some of the numbers on that in regard to all of the new folks in the government that would control health care, but all under this giant government takeover, and Boss Hogg sort of represents that to me as a way of communicating with the public.

But in any regard, before I continue with some of the statistics on the bill, I see that I am joined by my colleague from Georgia, a fellow physician and a member of the House GOP Doctors Caucus, who is a family practice physician from the Athens area where the great University of Georgia is located. Dr. PAUL BROUN is actually a doctor who makes house calls, which is really unique and refreshing. He has been a welcome addition to not only our Georgia delegation but this body.

I yield to the gentleman from Athens and Augusta and my hometown, Dr. PAUL BROUN.

Mr. BROUN of Georgia. Thank you, Dr. GINGREY.

Dr. GINGREY, I have taken a history and physical of ObamaCare. I have looked at all the laboratory results, I have looked at all the X-ray results, and I have got a diagnosis:

ObamaCare is a destroyer. It's going to destroy jobs in America. In fact, already, it has destroyed jobs. I have got a lady in my district that right now today has eight people in her employment. She desperately wants to expand

her business, she would like to hire at least one or two people for her small business, but she is not going to do it because of the onerous effect of ObamaCare on her business.

□ 1930

So it is destroying at least one or two jobs in that one lady's business. I have got another businessman in my district that wants to make a \$31 million expansion of his business. He has the cash in the bank. He doesn't even have to borrow it with all the regulations and all the problems that we are facing with the financial problems that the Dodd-Frank bill has placed on banks as well as small businesses. He wants to make a \$31 million expansion of his business. But he is not going to do it because of ObamaCare and because of the increased taxes and also the increased burden that this is going to place on him. That is killing hundreds of jobs just in two businesses within my district.

So it's going to destroy jobs.

But it's also going to destroy budgets. It expands Medicaid. In fact, the State of Georgia has a balanced budget amendment to our State constitution, and our general assembly is just going through the process of trying to balance its budget with a \$2 billion shortfall because of the downturn of the economy, the downturn of the economy that was created basically because of policy that was put in place by Democrats. BARNEY FRANK was a big part of that, too.

But ObamaCare expands Medicaid markedly. In fact, the State of Georgia is going to have to add at least about half again as many people to the Medicaid rolls in Georgia, and the State budget is going to have to pick that up, and it's going to destroy the State of Georgia's budget. It's going to destroy every State budget in this country. And it's going to destroy our budget. It's certainly not affordable.

In fact, we see this administration has already, I think it is 1,168 waivers that they've already given to unions and businesses and different entities just because of the onerous financial effects it's going to cost all those people.

And it's going to destroy family budgets. I had a lady tell me about her 26-year-old son recently, that his insurance doubled from last year to this because of ObamaCare. He is paying for his insurance himself. He's self-employed. And he can't afford it.

So it's going to destroy budgets. It's going to destroy family budgets, it's going to destroy State budgets, and it's going to destroy the Federal budget. Not only is it going to destroy jobs and destroy budgets, but it's also going to destroy the quality of health care. In fact, Dr. GINGREY, we were told, and I'm sure you're going to bring this up, the American people were told by the President, if you like your insurance you can keep it. Nothing could be further from the truth. The American people

need to understand it. The American people need to understand ObamaCare was designed to force everybody out of their private insurance into a single-payer, socialized health care system that the President himself said that he wanted just before ObamaCare was passed into law.

So my diagnosis is that it's a destroyer. It's going to destroy jobs, it's going to destroy budgets, and it's going to destroy the quality of health care. And also we need to have a plan of action. So I made the assessment, so we need to have a plan of action, and our plan of action, Dr. GINGREY, is—and the American people need to understand this—it's absolutely critical that we repeal ObamaCare and replace that law with something that makes sense, that truly lowers the cost of health care.

There have been numerous Republican bills introduced here in this Congress, in the last Congress, that would lower the cost of health care. I introduced two that would repeal ObamaCare and would replace it with something else. One is a comprehensive bill. I call it the Patient Option Act. It's 106 pages, not almost 3,000. And then I introduced another act that Democrat after Democrat colleagues told me, PAUL, this makes sense, more so than ObamaCare. It's a good first step. The American people want us to do it in a step-by-step process. It would allow purchases for individuals and businesses across State lines. It would allow anybody in this country to buy insurance through an association. They would have multiple insurance products at a much lower cost. It would stimulate the States to set up high-risk pools. Several States have already done that. Mississippi, I talked to Governor Haley Barbour about his plan. Their high-risk pool that they have in Mississippi has been very successful. Colorado has done the same thing I understand.

And the fourth thing that it would do is it would allow everybody to deduct 100 percent of their health care costs off their income taxes. That would change the dynamics of health care. So, Dr. GINGREY, I have done that physical examination and history, history and physical, my subjective, objective assessment, and the plan. The plan is, we must, absolutely must, repeal ObamaCare and replace it with something else, a market-based system that literally lowers the cost of health care and keeps all decisions in the doctor-patient relationship.

ObamaCare does none of those. It's not affordable for the government nor individuals nor businesses. It's certainly not going to preserve the quality of care, because it is a destroyer. So I have made that diagnosis, Dr. GINGREY, and I would yield back to you for our further discussion.

Mr. GINGREY of Georgia. Mr. Speaker, I thank the gentleman for his contribution and for being with us this evening. I realize there are conflicting things going on on Capitol Hill this

evening, very important things. But I really appreciate Dr. BROWN being with us.

We have also been joined by another member of the Doctors Caucus, that is our good friend and new Member, freshman Member from the great, great State of New York, where my daughter and son-in-law reside. ANN MARIE BUEKLE is a registered nurse, Mr. Speaker, by profession and certainly knows of what she speaks in regard to health care, representing the Angels of Mercy, if you will.

She is concerned, Mr. Speaker, about the health insurance industry and the complexity of such, and maybe even wants to discuss some ways that we could change and improve, certainly improvement is called for, and it doesn't have to be within a 2,400-page bill, as Dr. BROWN was mentioning ObamaCare entails.

So at this time, I'm proud to yield to Representative ANN MARIE BUEKLE.

□ 1940

Ms. BUEKLE. Mr. Speaker, it is good to be here. I thank the distinguished gentleman, my colleague from Georgia. I am very honored to be here to speak about health care in the United States of America.

As was said, I am a registered nurse. I have been a registered nurse since 1972, a time in our Nation's health history where the physician and the patient had a relationship, and the government had not injected itself into that relationship. And then after awhile, I went into law. And for the last 13 years, Mr. Speaker, I have been a health care attorney for a large teaching hospital in upstate New York, for the last 13 years.

What we did in that hospital and in my role as an assistant attorney general, we look at money, money that was owed to the State of New York. So I had a very up close and personal look at the complexity of health care in our country today.

I contend that this bill, this piece of legislation that does anything but reform health care, will only increase the complexity of health care in this country. It will only make it more complicated. It will once again put the government right in the middle of the patient-physician relationship. I contend that is not what the United States of America is about. We need to let the free market play here in our health care system.

I have spoken in my district to many, many people. I have done all kinds of talks, but there is nothing more up close and personal and of great concern to me than the health care system in our country. It is an issue that affects every American in one way, shape or form. This health care bill does not improve the health care system in this country.

I came to Washington with a wide range of goals as a freshman, as my colleague has mentioned, but nothing more important to me than repealing

this health care bill; this 2,000-plus-page bill that does anything but reform health care. It adds to the complexity of an already complex system. It puts the government in places where it shouldn't be, and it doesn't protect that patient-physician relationship.

Last week when I was in the district, I had my very first health care advisory council meeting. I spoke with a group of physicians, a group of health care providers, hospital administrators, and we had a conversation. I said to them: What are your concerns as health care providers? You are on the front line. What can we do down in Washington on health care to make the delivery system better and more affordable?

They looked at me, and interestingly enough, all of the people on the front lines came up with different solutions because, as you can imagine, doctors and health care providers are good at diagnosing. The question is now about the solution. What are we going to do for health care in this country?

We are here tonight to say this bill is the wrong bill for this country, but we are not willing to leave it go at that. We understand that true health care reform will include medical malpractice reform. We need tort reform in this country. We need to increase the use of health savings accounts. We need to make insurance portable so when a person loses their job, they don't necessarily lose their health care coverage. We need to allow for the purchase of health care across State lines. We need to put the patient back in the center of health care. And I contend that this health care bill does not do that.

So as we sat around, I said to my group of health care advisors, I said to them, What is it that concerns you most regarding health care in this country? The first thing was our health care, this health care bill that was just passed. And when you get into why does it concern you, because it adds so many layers of bureaucracy and regulations to an already laden bureaucracy, already an industry and system that is laden with regulations. If you talk to a hospital or a physician, the regulations and the impediments they have to access that patient for health care are incredible.

So the concern with this bill is it adds so many more layers. It takes this health care bill, and one of the biggest problems with this health care bill is that it takes a piece of legislation and it hands it off to the regulators. Then, with the regulators, they are left to interpret and to deal with and come up with regulations that affect our health care providers.

Beyond that, they recognize the need for tort reform. We need medical malpractice liability reform. If we are going to talk about reducing the cost of health care, we must consider that. And then they talked about the increased regulations on the health care profession.

What we all agreed upon in that meeting was that the health care in this country, it is a good health care system. We have good health care. The quality of health care is not the issue. The issue is the system of health care. And this bill that was passed in 2010 does nothing to make that health care system better. It only complicates it. It only ladens it with more regulations and once again puts the government back in between the physician and the patient relationship.

I thank my colleague who has an esteemed history of being a medical provider in the health care industry. He understands these issues. He understands what good health care is and what a good health care system would look like. And so I commend him and thank him for this opportunity to speak.

I think what we need to do in Washington is to repeal this health care bill. We need to put our heads together collectively and talk to the professionals, talk to the health care providers, talk to the patients, and get together and come up with a systemic plan that will reduce the cost of health care, help to improve access to health care, and not affect the quality of the wonderful health care that the United States of America offers.

In my years in the attorney general's office representing a large teaching hospital, I know how many people wanted to come to this country for health care—I know people from Canada and from Europe—because they knew they had access to good, quality care. They knew they wouldn't have a 6- or 9-month wait. I think with this system, if we allow it to go on, this health care bill, we will see those 6- and 9-month waits while patients are waiting for the government to make a decision about their health care access.

So we need to repeal this bill. We need to enact true health care reform so we can improve access, we can reduce the cost of health care, and we can maintain the fine quality of health care in this system.

I thank my colleague.

Mr. GINGREY of Georgia. Mr. Speaker, I thank the gentlewoman from New York for sharing her thoughts. Certainly, I agree completely with her. She clearly knows of what she speaks.

This law, it is no longer a bill, it is now the law. Patient Protection Affordable Care Act, it has been the law for a little more than a year, as I said earlier. Of course, the Congressional Budget Office that estimates the cost of laws that we put into effect, they give us an estimate when it is in the bill form so Members can decide whether or not what we are about to do is something that is affordable. And the estimate of this law costing \$900 billion, Mr. Speaker, the true cost over the next 20 years is probably in the neighborhood of \$3 trillion, not \$900 billion.

But I do want to just talk about that number and remind my colleagues

about the pay-for provision that the Democratic Party, the former majority party in the 111th Congress, had in place at the time this bill was passed. Everything had to be paid for, so you had to figure out a way to come up with the money.

In passing this bill and paying for it, Mr. Speaker, some \$570 billion was taken out of the current Medicare program. The Medicare program, which serves something like 47 million of our seniors, 5 or 6 million of them are younger people who are on disability that are covered under Medicare. And we literally, to help pay for this new entitlement, this new entitlement which has very little to do with Medicare except that half of the money, half of the pay-for in this \$900 billion was taken from a program, Medicare, servicing our disabled and our elderly, providing them health care, half of the money was taken out of that system. The actuaries and the Medicare trustees tell us that over the next 75 years, the unfunded liability, Mr. Speaker, of Medicare is something like \$35 trillion, with a "t," \$35 trillion. And yet we took the money by cutting Medicare Advantage something like \$120 billion. We cut money out of hospice. We cut money out of long-term care, skilled nursing homes.

□ 1950

We cut money out of home health care. We taxed everything that even looked like it had anything to do with health care: durable medical equipment, supplying oxygen for people who were and are continuing to struggle from chronic obstructive pulmonary disease. "Emphysema" is a term we use a lot, and I think most people would recognize that.

Finally, we came up and said, okay, we've paid for this; but at the same time, Mr. Speaker, we did absolutely nothing in regard to medical liability reform, something that probably if we enacted it—and if there were something in this bill, ObamaCare, as the President did promise that there would be—could save \$200 billion a year, according to the RAND Corporation and other think tanks, from the overall cost of health care, which is one-sixth of our entire economy, of our gross domestic product in a year. That's how big this industry is. So there is essentially nothing in the bill about medical liability reform.

Why do I say that, Mr. Speaker?

My colleagues, I think you understand that it's not about the high insurance premiums that doctors have to pay on an annual basis so that they can practice and be protected from liability if something goes wrong. Obviously, they need that protection and those health insurance premiums for the high-risk specialties like the one that I enjoyed for 26 years, OB/GYN, and neurosurgery.

Mr. Speaker, think about that doctor at the Tucson Medical Center who was there in that emergency room when

our colleague, Representative GABRIELLE GIFFORDS, was taken there literally near death. I think Dr. Rhee was his name, R-H-E-E. In fact, Dr. Rhee, I learned later, was a graduate of the great school that I went to, Georgia Tech, the Georgia Institute of Technology. Dr. Rhee spent his career in the military after completing medical school. He served his country for something like 22, 23 years, and he happened to be in that emergency room as head of the trauma center and had had all that specialty training and all those years of treating our wounded warriors in many conflicts—I'm sure in Afghanistan and Iraq.

If he had not been there for our colleague GABRIELLE GIFFORDS—God bless her—we would be talking about her today as we were talking earlier about John Adler, our former colleague from the great State of New Jersey who died today. But that doctor was there. He was there.

I fear, as I talk about this new health care law, there is hardly any provision in there that would provide for doctors, even for primary care physicians. There is some attempt, but when you take all the additional Medicaid-eligible patients, increasing the minimum eligibility at 138 percent of the Federal poverty level, you add just millions of additional patients to be seen and literally hundreds of billions of dollars of additional cost onto the backs of our States that have to have balanced budgets, unlike here in the Federal Government where we just keep borrowing money and where we're now up to \$14 trillion worth of debt.

So we have a huge problem in regard to this law that the CBO says costs \$900 billion over 10 years. I say—and this poster points it out—the true cost, which is the last bullet point with the red dot, is \$2.2 trillion and counting; but as Ms. PELOSI said—and I quote her in the third bullet point here—"we have to pass the bill to find out what's in it." That was before the bill passed. Clearly, we are finding out now, unfortunately, what the true cost is.

Mr. Speaker, I want to yield additional time to my colleague from New York.

Ms. BUERKLE. Thank you.

Mr. Speaker, my colleague just brought up the cost of this health care bill. I think it's interesting to talk about and insert what I have heard from the health care community throughout the course of this discussion.

For many hospitals which have a high level of indigent patients, there is what is called a disproportionate share of money that is paid to those hospitals to help them offset the cost of treating folks who are on Medicaid and who are not able to afford their own health care coverage. This health care bill removes the disproportionate share. It phases out that payment to hospitals so that they can afford to treat indigent patients who cannot afford health care. I think that's a very

significant piece of this bill—of this law—that was not discussed nor how it will impact and how it will hurt hospitals.

I think, beyond that, we need to talk about seniors and the choices that this health care bill takes away from seniors—again, that wasn't discussed—which are the Medicare Advantage programs and all of the disadvantages that this bill will cause to seniors. We need to keep our health care system intact so those who need the system, such as the seniors, have access to good health care and so their coverage is not hurt. This bill does hurt the senior coverage.

Mr. GINGREY of Georgia. Mr. Speaker, the gentlewoman is absolutely right.

As I pointed out in that \$500 billion-plus cut-out of the Medicare program to help pay for this new entitlement of the Patient Protection and Affordable Care Act, \$120 billion of the \$500 billion-plus was taken from the Medicare Advantage program. The Medicare Advantage program enrolls about 20 to 25 percent of our Medicare beneficiaries.

Why so many?

We are talking about, maybe, 11 million or 12 million who sign up and decide that, rather than the traditional fee-for-service and just pick a doctor out of the Yellow Pages who accepts Medicare, it's more like a health maintenance organization that emphasizes wellness, that emphasizes prevention, tests that are not typically covered under traditional fee-for-service Medicare, like colon cancer screening, breast cancer screening, mammograms for women, especially between the ages of 40 and 60, prostate cancer screening for men, annual physical examinations, follow-ups from a nurse practitioner within the doctor's office, maybe even on a monthly basis to make sure that the senior is taking the medication that was prescribed by the primary care doctor.

All of these things are included with Medicare Advantage. That's why it's called Medicare Advantage. It is an advantage with very little additional cost. In fact, people who are under those programs typically don't have to buy supplemental insurance to cover co-pays and deductibles and hospital care after they've exhausted their benefits. So that's why so many choose that.

Yet what we have done is we've stripped—we've gutted—that program so badly that, of those 12 million, it's estimated 7 million of them will lose that coverage under Medicare Advantage. They'll have to get it under the traditional Medicare, and they'll have to pay \$130 a month extra for that supplemental whether they get it through a plan that's endorsed by the American Association of Retired Persons or through some health insurance company, but the average cost is going to be an additional \$130 a month for those folks.

□ 2000

So as we talk about the cost, I do want to shift, Mr. Speaker, to the cost

to employers. In this next slide, where the title says, "ObamaCare Hurts Workers, Increases Costs," the majority of employers anticipate health care reform will increase health costs. And most say they plan to pass the increases on to their employees—88 percent plan to do that—or reduce health benefits and programs, 74 percent.

This idea of setting up these exchanges throughout the 50 States and territories and that only 6 million people who have employer-provided health insurance can keep it, they won't need to be on the exchanges, Mr. Speaker, that is absolute poppycock. It's probably going to end up being about 130 million people who get their health care provided today by their employer will end up in those exchanges. And that's why I say this cost that was estimated by the CBO of \$900 billion will be in the trillions, because when all of these people morph out of the employer-provided health care onto these exchanges, think how many of them will be eligible for a Federal subsidy to help them pay for that insurance. Because the law says, the so-called "Affordable Care Act," that anybody with an income of less than 400 percent—not 100 percent, not 200 percent, not 300—400 percent of the Federal poverty level—which is getting close to \$90,000 for a family of four—I think of my four children and their families of two and three and four, and I know what their incomes are—the Federal Government will be subsidizing so many people that the cost, the true cost will be astronomical, and it is something that we cannot afford. That's why our representative from New York and our other representative from Georgia spoke earlier about we can't do this, we can't afford to do this. We need to repeal this law. It is a bad law.

I've said before, Mr. Speaker, that in my humble opinion I think it's the worst law that has ever been passed in this Congress. There have been some folks on the other side of the aisle—well, not on the other side of the aisle, but the more liberal media who took me to task for saying that, but I truly believe it. I truly believe it's one of the worst laws that was ever passed. And we have made every effort to repeal it.

One of the first things we did in the 112th Congress was pass H.R. 2 to repeal ObamaCare. We sent it over to the Senate, and the Senate—which is controlled by the Democratic majority and led by the Senator from Nevada, HARRY REID—just simply, I guess, put that in file 13, and H.R. 2 is sort of dead in the water over on the Senate side.

So what we are doing now, it is our obligation because of what the American people have told us: Over 60 percent of them a year after passage of the bill, despite the fact that Ms. PELOSI said, once we pass it and you find out what's in it, you'll like it. No, they don't. They don't like it. They don't like it one darn bit better, and they wanted us to repeal. We made every effort at repeal.

And now we're into Plan B, Mr. Speaker. Plan B, of course, is to try to defund especially the parts of the bill that are on automatic pilot, that we have no control over. And when I say "we," I don't mean the new Republican majority in the House of Representatives; I mean every Member of Congress—100 Senators, 435 Members of the House, both sides of the aisle. For goodness sakes, we ought to have control over the spending.

This is not a poster. I don't have a poster on this one. But tomorrow, in the Energy and Commerce Committee, Mr. Speaker, the committee on which I am proud to serve, along with several of our other House GOP doctor members, we are going to have a markup on several bills to change this automatic pilot spending under ObamaCare and put it into the more typical discretionary spending where Members of Congress can say, do we want to spend that money? And if we do want to spend the money, how much do we want to spend? And that we have oversight and we can make sure every year that we look at the program, and if it's not working then defund it.

And these bills—and I'll just mention them real quickly—H.R. 1217, a bill to repeal the prevention and public health fund, \$17.5 billion that the Secretary of Health and Human Services has control over, a fund of money that she can spend in any way she wants to. You think back to the ads that we saw with Andy Griffith as the pitchman on television last year about the great value of this new law and how it's going to strengthen and improve Medicare. How you do that by cutting \$500 billion out of a program is beyond me. But that money, that \$17.5 billion in this prevention and public health fund, can be spent indiscriminately by a decision made by whoever the Secretary of Health and Human Services might be. H.R. 1216, H.R. 1215, H.R. 1214 and H.R. 1213, in the aggregate, this is over \$18 billion worth of spending that we Members of Congress have no control over. We're going to get control over it, though, and we're going to defund anywhere we feel that it is wasted, duplicative spending that the American people can ill afford.

I want to go ahead and point out a few other things that are on the slides, Mr. Speaker. I mentioned, of course, the \$75 billion in cuts from the Medicare program. I mentioned the 7.4 million people who will lose that coverage under Medicare Advantage because of that \$126 billion pay-for. I didn't mention, though, on this slide the third bullet point.

Many physicians may stop taking Medicare patients because reimbursements will be below the cost of providing the care. Now, is that Representative PHIL GINGREY from the 11th of Georgia, is that a statement that I've made? Well, maybe I have made it. But I'm quoting the Actuary of Medicare, Richard Foster, who we had last week as a witness before the Energy

and Commerce Committee talking about some of these things. This bears repeating, Mr. Speaker; "Many physicians may stop taking Medicare patients because reimbursements will be below the cost of providing the care" Richard Foster, Committee on Medicare and Medicaid Services, Chief Actuary.

Today, doctors are reimbursed under the Medicare program by a formula, an arcane, very difficult—you talk about calculus being difficult; understanding the sustainable growth rate formula to determine how doctors are reimbursed for providing their service, whether it's their brain power or their surgical skills, is beyond anybody's comprehension. And every year, for the last 6 or 7 years, when you apply that formula to the next year's reimbursement level, there is a cut from the last year's reimbursement—2 percent, 3 percent, 4 percent—to the point now, Mr. Speaker, what we have done, of course, we here in the Congress have mitigated those cuts and said we're not going to enact those cuts because these doctors will not be able to provide the care, just as Mr. Foster, the Actuary, said. And if we don't put a bandaid on these cuts and mitigate them, then the doctors will just drop out of the program. And I don't care how much you expand access and hand out more insurance cards, if there are no doctors there to see you, you're not going to have care. You do not have decent care—you don't have any care.

□ 2010

So in this bill, in this new law, not only is that formula still there, and the doctors are facing a 31-percent cut in their reimbursement if we don't mitigate it once again come December 31 of this year, not only is that on their backs, but in ObamaCare, there's this new provision called IPAB, this new bureaucracy—Independent Payment Advisory Board—that's going to actually cut the doctors even more. The Actuary is right: We're not going to have doctors providing the care.

And that's because we've taken money out of this program and put it into an entirely new entitlement program for the most part for young people. Some entitlement, when you force them to buy health insurance in many instances when they don't need it and they don't want it.

Mr. Speaker, I see we've been joined by the cochairman, along with myself, the cochairman of the House GOP Doctors Caucus, my classmate from the 108th Congress, the Member from Pennsylvania, my friend and colleague, Dr. TIM MURPHY.

I yield to the gentleman from Pennsylvania.

Mr. MURPHY of Pennsylvania. I thank you for yielding, Dr. GINGREY.

You know, all of us in the Doctors Caucus are people who have treated patients, and we know full well the value of quality health care. We also know what happens when bureaucracy gets

between the patient and the doctor, and you find yourself spending as much time worried about paperwork and forms and what the government is going to do than sometimes your dealing with your patient. That's not good health care. And that certainly isn't good health care reform.

All of us who are health care professionals know that the treatment should not be more harmful than the illness itself. And what happens with the health care bill that was passed, when you look at some of the parts of this and realize what it does to the patient, to taxes, to employers, to hospitals, to community health centers, to the cost of drugs, you have to conclude that we did not fix the problem; we financed the problem and it is growing and growing. And that's not the right direction.

Let me give you a couple of examples.

This bill, this act, actually creates about 1,900-plus new duties and responsibilities for the Secretary of Health. It has a hundred or more boards, panels, and commissions of people that we don't yet know who they are to write regulations that we don't yet know what they are.

We also know that despite the words about the goal, the actual means to get there and what happens isn't what is purported to be doing.

Let's look at, for example, we keep hearing about 35 million Americans will be covered. And yet, we also hear from various consulting firms that it won't be 9 million Americans that will lose their health insurance, it may be tens of millions of people who will lose their private insurance. So covering 35 million but perhaps the same or double that losing their insurance doesn't get us to where we need to be.

We also heard that health care costs were going to go down. I had someone from HHS from Philadelphia come to my office and they told me with a smile that wasn't it great that health care costs were only going up 2 or 3 percent. I asked this person if they bothered to talk to some of the employers in the State of Pennsylvania, because a lot of them told me their health care costs are going up 20 and 30 and 40 percent. I asked if they'd talked to some of the families whose children were covered on plans before that exclusively cover children to find out that those plans were not going to cover children any more because of the way the government decided to design those.

Our goal should be to treat. Our goal should be to help. Our goal should not be to stop at just rhetoric and say, "We have good intentions, and therefore we have good outcomes." But good intentions don't make good outcomes.

Where we could be spending money is on some real reforms. One of the issues that we've been united on has been to help community health centers. One community health center in Pittsburgh that I visited with, the Squirrel Hill

Health Center, treats about 700,000 individuals through more than 2.3 million visits annually. These community health centers in Pennsylvania, there are 45 in 67 counties—60 percent urban and 40 percent rural. Their patient base is 68 percent Medicaid, uninsured, and 93 percent of patients of incomes at or below the 200 percent of the Federal poverty level.

What is interesting is how much lower in costs those clinics throughout Pennsylvania, quite frankly throughout the Nation, could provide high-quality health care.

But what we've created is a couple of burdens. I found it interesting as part of the health care bill that one of the things we passed was an amendment that Congressman GENE GREEN, a Democrat from Texas, and I had authored to allow doctors to volunteer at community health centers. If Dr. GINGREY wanted to go to a community health center and volunteer, and if I wanted to and any of the other ones, we couldn't do it. And the reason being that those community health centers say, "We can't afford to have you volunteer." Because in order to volunteer, they'd have to pay the medical malpractice costs instead of having them in the Federal Torts Claims Act—employees of those clinics can do that—and that adds to their costs. In the meantime, those clinics are short 10, 15, 20 percent of what they need in providers.

They are a tried and true method of bringing people together, people from a wide range of disciplines: OBGYNs, family practitioners, dentists, podiatrists, social workers, psychologists, to work. That's one of the many things we could be doing. But along those lines, there are a great many things that we can be doing.

Mr. GINGREY of Georgia. I want to thank you, Dr. Murphy, and I appreciate you coming.

Mr. Speaker, I thank you for the time. I know our time is up.

I just refer to our last poster in conclusion: Repeal and Replace ObamaCare.

CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 60 minutes as the designee of the minority leader.

Mrs. CHRISTENSEN. Thank you, Mr. Speaker.

I just wanted to start off by saying in response to some of what I've just listened to—and I'm not going to take it point by point. I just want to point out that what we passed last year is not ObamaCare. To the people of this country it is your care. And if you allow it to be repealed, defunded, or picked apart piece-by-piece, President Obama will still have his health care insurance and so will many of the people who are trying to take away yours, your care.

Just remember that the Patient Protection and Affordable Care Act was not to provide care for us. It was to provide care and access to quality, affordable health care for you. It is not ObamaCare. It's your care.

At this time I'd like to yield to my colleague from Maryland, Congresswoman DONNA EDWARDS.

Ms. EDWARDS. I would like to thank Congresswoman CHRISTENSEN for the time.

And just a reminder that today, April 4, is a sad remembrance in some ways of the assassination of Dr. Martin Luther King, Jr. in Memphis, Tennessee, some 43 years ago. It is such an irony that we're here this evening at this time because there are so many things for which Dr. King fought and struggled that are ever-present today both in our policy and our politics and in our national culture and through our social fabric.

During this year also we commemorate the 40th anniversary of the Congressional Black Caucus. It's important for us to remember that the Congressional Black Caucus was founded to tackle the injustices that Dr. King pointed to and to promote equity in the United States and with and through our United States political process.

Dr. King dedicated his life to the then-uncomfortable conversations on injustice faced by African Americans across the country. Dr. King knew that tackling discrimination in the United States could not only focus on knocking down social barriers but also economic barriers that held African American workers, held low-wage workers from economic wealth to sustain their families.

I want to thank Dr. CHRISTENSEN and so many of my other colleagues who've joined me in the introduction of House Resolution 198, recognizing the coordinated struggle of workers during the 1968 Memphis sanitation workers strike to voice their grievances and reach a collective agreement for rights in the workplace. What an irony here in 2011 that the battles for which Dr. King fought so valiantly are today's battles.

□ 2020

House Resolution 198 has among it, today, 55 cosponsors. We recognize that we may not be able to move this measure to the floor, but it is an important remembrance, commemoration of the struggle of those sanitation workers, those city workers, those municipal workers as they tried to organize.

As Dr. King knew, organized labor is a cornerstone of our democracy, and the organizations of organized labor have altered many facets of our Nation. They've changed our Nation for the better. Organized workers will forever change the labor debate in Memphis through their collective will. That's what happened in Memphis on those days 43 years ago.

Just 2 weeks ago, we recognized the 100-year anniversary of the deadly Tri-angle Shirtwaist Factory fire, which

ushered in improved safety standards for workers. And decades later, the deaths of two sanitation workers in Memphis resulted in a movement to grant workers in Memphis, Tennessee, the basic rights in a workplace. Dr. King believed that the struggle in Memphis for workers' rights was akin to the civil rights movement. It was a partner to the civil rights movement.

The motto of the sanitation workers strike was, "I am a man," signifying the demeaning way in which African American men had been treated and referred to as boys. "I am a man." What powerful words urging the city to grant them the full rights to equality and justice guaranteed under the principles of our Nation. Dr. King stood in solidarity with the strikers in the fight for justice and the basic human rights for all men and women in the workplace and in society.

Indeed, there are many of us in this Congress who stand in solidarity with the strikers and workers across this country, municipal workers, private sector workers, public sector workers who are fighting every day for justice in their workplaces. Indeed, 43 years ago is the struggle of today. And thanks very much to the legacy of those strikers in Memphis and to Dr. King, we actually live in a Nation where workers all over the United States can indeed demand justice and fair working conditions.

These basic rights allow men and women to pursue economic wealth and pursue the American Dream. But in recent days, we face a virtual assault on basic workers' rights, things that we have known for generations in this country. And even though those events are unfolding in Wisconsin, the outcome of whether the unions have the right to collective bargaining in that State will affect union members across this country. Indeed, that was the fight and the struggle for justice of sanitation workers.

I want to refer to Dr. King's speech in Memphis at a rally on behalf of sanitation workers. He said, "We've got to give ourselves to this struggle until the end. Nothing would be more tragic than to stop at this point in Memphis. We've got to see it through."

We face the same challenge today. We have to push through in States like Wisconsin and Indiana and Ohio and across this country to help public employees and, indeed, all employees fight against the injustices that they face in their workplace.

In Dr. King's last speech, he highlighted the perils at which he sought equality and justice for all men and women. In his words, I quote, "I may not get there with you, but I want you to know tonight that we as a people will get to the promised land." And for workers, what is that promised land? It is the promised land of a workplace that is safe. It is the promised land in which one makes wages that allow one to take care of one's family and contribute to the community. It is a work-

place that actually respects workers as partners in the success of a company and a workplace.

Dr. King at this time, when he addressed workers in Memphis, had already faced threats against his life, including a stab wound that he had suffered at a book signing in New York. In his speech, Dr. King recalled the doctors saying that had he sneezed following the attack he would have died, but noted he was glad that he did not or else he would have missed the progress in the civil rights movement.

Today is a day of remembrance for so many of us. On the point of injustice, Dr. King said so poignantly the issue is injustice. The issue is the refusal of Memphis to be fair and honest in its dealings with its public servants, who happened to be sanitation workers. Now we have got to keep attention on that. And just as he reminded us 43 years ago, we have to keep the attention on our workers, who struggle every day.

Dr. King was determined to be in Memphis with those workers. And let's think about where we are here 43 years from that fated day in April. Our country is moving out of recession. We continue to stand with workers and stand with job creation, some of us do, to reverse the effects of the recession on our most vulnerable communities, and to empower all Americans, empower workers.

The unemployment rate among the African American population remains far too high, at 16.6 percent in March of this year. Now, the overall unemployment rate has fallen. We are grateful for that. But I think were Dr. King alive today, he would probably acknowledge the struggle of those who are working and those who want to work, the many who are chronically unemployed in their communities across this country.

The unemployment rate among African American men was 20.2 percent in March of this year, just last month. The unemployment rate among African American women was 11.7 percent in March. Put these numbers up against national numbers of unemployment of 8.8 percent. While those numbers again, thanks to the brilliant efforts of the President of the United States, of the Democrats in Congress during the 111th Congress, who actually brought us to a point where we put in some policies that could bring down the unemployment rate, those numbers are still troubling among minority groups.

But I will say, Mr. Speaker, that one of the challenges that we have is that in this country, where workers struggle every day, we look at stagnant wages that have really crippled the American workforce, the public sector workforce, the private sector workforce in this country, that we still have a lot to do when it comes to creating jobs. And yet here we are again this week—I don't know what day we are on—89 days not having created any jobs to address those very concerns that Dr. King had just 43 years ago.

Just a reminder to us all that according to Dr. King, he said so profoundly about the American labor movement, and I quote again Dr. King, and I wish that I could do it with his eloquence, but I think it is important for us to be reminded of his words. "The labor movement was the principal force that transformed misery and despair into hope and progress. Out of its bold struggles, economic and social reform gave birth to unemployment insurance, old age pensions, government relief for the destitute, and above all, new wage levels that meant not mere survival, but a tolerable life." He continued, "The captains of industry did not lead this transformation; they resisted it until they were overcome. When in the thirties the wave of union organization crested over our Nation, it carried to secure shores not only itself but the whole society."

Dr. King recognized so profoundly the connection between the struggle of workers, the struggle of the sanitation workers in Memphis to the struggles of the American labor movement, and, in fact, to its foundation.

With that, I recognize that my colleague from New York, PAUL TONKO, has joined us on the floor. Perhaps he would care to join in this discussion.

Mr. TONKO. Thank you, Representative EDWARDS, for bringing us together this evening on what I think is a very timely discussion.

You know, it seems as though 43-year-old history resonates profoundly today. The same battles for which Martin Luther King had fought, the eloquence with which he raised America's consciousness is needed today, not only in the halls of government but across America, to understand that there is an attack, I believe, on workers.

□ 2030

There is a diminution of the impact of our middle class, our working families in this country, when we look at the fact that the top 10 percent of Americans now own or earn around 50 percent of our national income.

We look at stats from 1950 that has the executive salaries somewhere in a 30-to-1 ratio compared to the American worker. By the year 2000, that had changed drastically to some 300-to-1 to 500-to-1. So it's obvious that the gap between those who are drawing large paychecks and the workers, the masses that make things work, that have the need to have purchasing power so as to enable our economy to function and function well, have been threatened. They have been at risk.

And I think the whole moral fabric that Martin Luther King embraced, the entire mission to raise America's people as one by providing for the dignity of the American workers, was a tremendously strong statement in defense of all people, not just people of color, people of every demographic, people of every racial persuasion that could provide for a stronger America. It was that vision that he had and he shared it

so eloquently, and his climb to the mountaintop was bringing all of America's children and people along.

He knew that the empowerment of the individual meant the empowerment of the society. As we weave the strands of diversity into the fabric of America, our mosaic growing stronger and brighter and more vibrant enables us to be a Nation that really, truly is unique if we could just empower the American worker.

I see the raid now on this middle class in these Chambers, in the congressional Chambers, both the House and the Senate being so focused on a dismantling of the power of the working families, of the true middle class of our society. That is a wrong move. That is one that will devastate our economy and one that is not utilizing, embracing the intellectual capacity of this great Nation.

Cuts to our children through Head Start or in classroom experience is the worst cut of any because it's our future that we are playing with. We are not allowing for the dignity, again, of which Martin Luther King spoke, to be felt in the classroom; and that magic of learning is dulled, is dulled, by these painful cuts.

So we have got to respond, respond with compassion and with our eyes wide open knowing that that message of 43 years ago and that powerful statement made about the dignity of labor, the evening before he was brought down, still speaks to every one of us, or at least ought to, so that we can provide for the sorts of policy and the resource advocacy, the distribution of income across this country in a way that really empowers the individual and families.

That, I think, is the mission that is still there for each and every one of us. So many of us were inspired by the words of John F. Kennedy, Martin Luther King, Robert F. Kennedy. It drew people to the public arena. They wanted to be involved; they saw government as a noble mission. And that tarnished atmosphere that's prevailing today has allowed for misrepresentation of facts or denial of data that really should guide our process here, as Martin often called for fairness, for equitable treatment, for justice.

Those are the factors that drive the dignity. So it is a challenge to us, but I think we are up for that challenge, and I remain optimistic. If we just provide the boost to our Nation's working families, to our middle class, then we are all empowered. I think that tide would lift all boats.

So, thank you, Representative EDWARDS, for bringing us together on a very important discussion.

Mrs. CHRISTENSEN. I would like to thank my colleague from Maryland for helping to organize this hour and our colleague from New York for joining us. I was in medical school here in Washington D.C. on the day that Dr. King was assassinated, and it was obviously a very dark day and weekend that followed.

But I recalled, and I think it would have had to have been the Sunday of the following week, was a Sunday dedicated to Dr. Martin Luther King. On that day, as you went to church or were out and about D.C., there was such a feeling of fellowship and brotherhood and respect for each other, and even, I would say, love for each other as neighbors in this country and on this planet.

It would be wonderful to see the spirit of that day revived in this Congress and across our Nation as we remember not only the day but, more importantly, the words and the legacy of Dr. King and as we remember all that he was fighting for. Specifically tonight we remember the sanitation workers whose strike he went out to Nashville to support on that fateful evening.

And in his speech he mentioned a few things that he said in that speech the night before he was killed. He called also for his listeners to develop a "dangerous unselfishness" and said that the question before them, and I would say the question before us today, is "not if I stop to help the sanitation workers," and I am going to add in here, as we would say today, not if we stopped to help the sanitation workers, the teachers, the firefighters, the policemen and all workers whose rights are under attack in our country today, what will happen to my job?

But he said the question is: "If I do not stop to help the sanitation workers what will happen to them?" And as our colleague from New York said, his concern went beyond that. It was also what would happen to our Nation.

He also then said right after that: "Let us rise up tonight with a greater readiness. Let us stand with a greater determination. And let us move in these powerful days, these days of challenge to make America what it ought to be. We have an opportunity to make America a better Nation."

These words are an urgent call to us today as well, as both of my colleagues have said, to stand with a greater determination on behalf of the working men and women in this country; to stand with a greater determination for help for the poor; to stand with a greater determination for clean air and clean energy for us and our children, clean air for our children and us to breathe, and clean energy and responding to this threat of climate change; to stand with greater determination for jobs and economic opportunity, especially for the most distressed parts of our country; to stand with greater determination for a quality education for every child and to stand with greater determination for equal access to quality health care and wellness for everyone in this country regardless of race, ethnicity, gender identity or geography.

Another quote from Dr. King that I use often as we talk about health disparities is this quote. He said:—Of all the forms of inequality, injustice in health care is the most shocking and inhumane."

I want to focus on that for a moment because among the many challenges that we face today is that of eliminating the injustice in health care. We Democrats took a major step forward in this effort with the passage of the Patient Protection and Affordable Care Act in the 111th Congress. Not only does it expand coverage to millions of Americans and families who have never had insurance before, but it also includes provisions that would end the travesty which Dr. Martin Luther King called the most shocking and inhumane.

Now that the health care door is finally being opened to all; now that we have furthered the effort to end the discrimination that exists in our health system; now that we have a chance to end the tens of thousands of premature, preventable deaths in people of color, and the poor, and those who live in our rural areas and our territories; now that we have done all of that, the Republican majority is doing everything they can think of to try and slam that door shut again.

□ 2040

In this 40th anniversary year, the Congressional Black Caucus is committed to building upon the legacy of our founders. In the area of health, we are particularly committed to specifically building on the legacy of Congressman Louis Stokes to not let that door or any door be closed to African Americans or to anyone anywhere in this country. We will not let those doors be closed.

And we know that our Democrats will stand with us with greater determination to protect the Affordable Care law and the lives of countless Americans who would continue to be in jeopardy without that law. And it's time for the good people of this country to stand with us.

Let us not have to repent, as Dr. King said, not for actions of bad people, but for the appalling silence of good people.

This country should no longer tolerate that African Americans, Latinos and Native Americans have a much higher infant mortality than our white counterparts; that diabetes and its complications should be so much higher in those same populations as well as in Native Hawaiians and other Pacific Islanders; or that African Americans should have higher death rates from cancer and diabetes than all of the other population groups; or that Native Americans should have higher deaths from sudden infant death syndrome and chronic liver disease than all of the other population groups combined; or that Asian Americans should have such high incidences of tuberculosis, about 24 times the average national rate, and higher incidences of hepatitis B; and no longer should this country tolerate that in 2010, after 8 years, that the Department of Health and Human Services would still be reporting in the national health disparities report that

fewer than 20 percent of disparities faced by African Americans, American Indians, Alaska Natives and Hispanics showed any evidence of narrowing. Fewer than 20 percent showed any evidence of narrowing.

It is time for all of us to rise to our better nature, as Dr. King would call us to do, and to begin to work together to close gaps faced in many different areas by large segments of our population. We must stand in stronger determination to build that better nation and to realize the beloved community that Dr. King envisioned.

In our 40th year, the Congressional Black Caucus remains more committed, more determined than ever to realizing his dream, a dream that still burns brightly in the hearts of all of us who honor Dr. Martin Luther King and the life that he gave to ensure freedom and justice on behalf of all of us.

With that, I yield to the gentlewoman from Maryland.

Ms. EDWARDS. Thank you, Dr. CHRISTENSEN.

I just want to take a moment to yield to my colleague, vice chairman of the Congressional Black Caucus from the great State, my original home State of North Carolina, G.K. BUTTERFIELD.

Mr. BUTTERFIELD. Let me thank the gentlelady for yielding the time this evening and thank her for her leadership in the Congress. The Congressional Black Caucus goes out of its way each week to try to present to the Nation issues that are critically important to African Americans residing in this country, and Congresswoman DONNA EDWARDS and Congresswoman CHRISTENSEN have been in the forefront of making that happen. And so I want to thank them so very much for their leadership.

I especially want to thank them for their willingness to come to the floor tonight to commemorate the life and work of Dr. Martin Luther King, Jr. April 4 always brings back memories of a very tragic day in the life of our country. It is a day that I shall never, ever forget.

The civil rights movement and the voting rights movement took place during my years in high school. Those were very precious moments in my history, and I remember so well the work of Dr. Martin Luther King, Jr. The world must remember, our country must remember, we must understand that Martin Luther King's leadership was very profound, but it only lasted for about 13 years. So many people don't recognize that.

Dr. King started his leadership at age 26, and it tragically ended at age 39. It was on December 1 of 1955 that Dr. King was drafted, at age 26, to lead the Montgomery bus boycott. That was the day in Alabama history when the black citizens of Montgomery decided that they would boycott city buses until they could sit anywhere they wanted instead of being relegated to the back when a white citizen boarded the bus.

A black seamstress named Rosa Parks was denied a seat of her choice because of the color of her skin, and Dr. King at the age of 26 took the leadership of that movement and focused the attention of the world on this injustice. And the Supreme Court of this country, the following year, agreed with his position.

Then several years later, in April of 1963, it was on a Friday evening, it was Good Friday, Dr. King again led a march in Birmingham, Alabama, to end segregation in public accommodations. Dr. King was arrested and spent the next 11 days confined in jail. During that time, Mr. Speaker, he wrote that great document called "Letter from Birmingham Jail." I would only wish that our citizens would look up that letter on the Internet and read for themselves "Letter from Birmingham Jail." And several weeks later, the Birmingham leaders announced that local accommodations would be integrated.

After that great victory in Birmingham, and after Dr. King wrote his letter, Dr. King and other civil rights leaders planned and then they executed the 1963 March on Washington. So many of us have heard of and some of us participated in that march. It was a hot summer day here in the Nation's capital on August 28, 1963. I was there as a young 16-year-old high school student.

That march was a demand. It was a demand for civil rights legislation. President John F. Kennedy had agreed with the movement and had made a historic speech on June 11, 1963, calling on this Nation to end segregation in public accommodations. And on June 20, 1963, a bill was introduced into this House of Representatives here on Capitol Hill, and that bill was fiercely debated to provide civil rights for all citizens. But then the march took place in August of 1963. It was a great day; 250,000 people descended on the Nation's capital demanding civil rights. And less than 90 days later, President Kennedy was tragically assassinated in Dallas, Texas.

As a result of his assassination, President Johnson, becoming the President of our country, promised the Nation that the civil rights bill that was pending in the Congress would continue to be debated, and it would be signed into law, and it was, on July 2, 1964.

And so after that civil rights bill was passed, Dr. King received the coveted Nobel Peace Prize. And we honor and we celebrate that great history.

Finally, Mr. Speaker, the Civil Rights Act was not enough. There had to be a voting rights bill that was debated and passed by this Congress. Finally, in 1965, Congress passed the 1965 Voting Rights Act because of the work of Dr. King.

Because of the Voting Rights Act, there has now been a transformation, a political transformation in the southern part of our country where I am from. I represent eastern North Caro-

lina, which is a community in my State that suffered from years of discrimination and electoral discrimination. But I'm proud to say that in my congressional district alone, there are more than 300 African American elected officials elected to office, and we attribute much of this success to the life and work of Dr. Martin Luther King, Jr.

I want to thank the gentlelady for recognizing this great American on this day. My home town of Wilson, North Carolina, was supposed to have been the visit of Dr. King on this day in 1968. But because of the events in Memphis, Tennessee, he diverted and went to Memphis to aid with the garbage strike and to help those who could not help themselves. And so we celebrate this great legacy tonight.

Ms. EDWARDS. Thank you, Congressman BUTTERFIELD, for your leadership as vice chair of the Congressional Black Caucus, but also for your reminder of our so important history that is linked both to the struggle of African Americans in this country, to the struggle of labor, and for a reminder also historically of the fact that Dr. King was supposed to have had a next place to be when his life was ended on April 4, 43 years ago today.

□ 2050

I would like to take just this moment, if I could, to recount for us the history of the 1968 American Federation of State, County and Municipal Employees Memphis sanitation workers' strike, the chronology.

Beginning on Sunday, January 31 of that year, the rain sent workers home. Then beginning on Tuesday, February 1 of that year, two sanitation workers were killed in an accident on a city truck.

Then just days later on Monday, February 12, Memphis sanitation and public employees went on strike after last-minute attempts to resolve their grievances had failed. While the newspapers claimed that 200 workers of the 1,300 remained on the job, really only 38 of 180 trucks moved. The mayor of the city said the strike is illegal, but that his office stood ready to talk to anyone about legitimate questions of the time.

Little did these workers know that through the month of February, as black leaders and ministers gathered from city-wide organizations in support of the strike, through the days of March when the ministers and the city announced that Reverend Martin Luther King, Jr., would come to Memphis, 116 strikers and supporters were arrested for sitting at city hall. And then through the month of March, the newspapers claimed that the strike was failing as scabs were operating 90 garbage trucks. But 17,000 Memphians attended a rally where Dr. King called for a city-wide march on March 22.

Then as Dr. King returned to Memphis on April 3, and he addressed the rally, delivering his famous "I've Been to the Mountaintop" address, then that

day, on April 4, on April 4, 1968, as he prepared to march with the workers, Dr. Martin Luther King, Jr., was assassinated on the balcony of his hotel in Memphis, Tennessee.

In the days following his assassination, the workers continued their strike in honor of Dr. King and with renewed courage and resolve to demand safe working conditions. It is this simple phrase "I am a man" that drove him, a simple phrase, one that acknowledged their humanhood, one that acknowledged them as workers: I am a man.

And then finally on April 16, some 3 months after the start of their strike, the sanitation workers of the American Federation of State, County and Municipal Employees, AFSCME, agreed and reached an agreement with the city officials, granting an increase in pay, a grievance procedure, and overtime pay.

This is the history of the sanitation workers of Memphis. It is the history of workers throughout this country, and it is the history of workers today.

With that, I would like to yield to the gentleman from New York (Mr. TONKO).

Mr. TONKO. You know, the dignity that was addressed, the respect factor of "I am a man," that rhetoric that speaks to the working individual, that speaks to humanity, the man, the woman, the child, the dignity of the individual, the respect shown, was all that was embraced in that message, that struck all of America, touched all Americans.

I am of the age that I remember that tragic day. It came so clustered. In a short 5 years, we lost three great leaders to bullets. It is just really a tragic outcome that you can't help but find yourself questioning what if their march continued, how different would America be?

I find it so interesting that his last major appearance and effort was for workers, fighting for workers, for the dignity of work and the dignity of workers.

The assault on workers' rights that he was addressing we see today in the news. We see it in Wisconsin. We see it in Michigan. We see it in Ohio. And it is like the same battles are here to be fought and won.

So the spirit of Martin encourages, I think, builds our determination and our resilience to make a difference. The efforts that America needs to associate with the overall cause and concern for job creation and job retention is so vitally important. Many would choose to have us believe that it is a high rate of firings that is occurring out there, but it is really a low rate of hirings, which is a different sort of saga. We need to invest now in worker opportunities, in training, retraining, in education, and in job creation.

I am a firm believer, and I know many are, that unemployment is driving our deficit and that if we invest in jobs, if we invest in the worker, we will

see a corresponding benefit on the flip side of a reduced deficit for this Nation.

I think the stats tell it all. The bottom 50 percent of income earners in the United States now collectively own less than 1 percent of the Nation's wealth. That is a startling fact. And we need to make certain that there is more justice that is produced out there. As I said earlier, I really do believe that the purchasing power that we can enhance for America's working families, for our middle class, for the mainstream worker out there is an empowerment for all of us. Someone needs to purchase the products that those perched on the top may produce by their ownership. But the worker to build that product and the worker to buy that product is an important key, perhaps the most important ingredient in the equation.

When we look at the fact that some five people are lined up for every job opportunity in this country, and when we look at the fact that workers' rights are under assault today in many areas across this country, there is a great amount of unfinished business.

And on this anniversary commemoration of a great leader's death, it is important for us to recommit our energies and our spirit to speaking to the needs of America's workers. Nothing could honor Dr. Martin Luther King's legacy and the man more vibrantly than speaking to job creation, job retention, workers' rights and prevention of what we are seeing where there is an assault on those rights across this country.

Thank you, Representative EDWARDS, for bringing this solemn opportunity together on this floor where so many issues were addressed in favorable measure, that were driven by the courage and the boldness and the noble vision of Dr. Martin Luther King and other great leaders, like JFK and RFK, who traveled that same era in history.

Ms. EDWARDS. I thank the gentleman from New York and appreciate your leadership and your being here this evening to mark this day with us for workers.

With that, I yield to the gentleman from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. It should give all of the workers who are fighting for their rights today extra incentive, some extra inspiration as we commemorate this day and all that Dr. Martin Luther King fought for as they continue that fight and we continue to support them in that fight.

I am reminded that on April 7 in the capital of Illinois, in Springfield, I was out there a week ago, they will be having a major rally on behalf of working people in this country. I want to salute the folks in Springfield on that march.

In addition to fighting for workers' rights, when Dr. King died, he was planning the Poor People's Campaign in Washington. I was here studying for my boards. I went over to volunteer in

the medical tent. It rained and it poured; but people came in from all over this country, particularly the South, to the Poor People's Campaign to call attention to the plight of the poor in this country.

As we are celebrating as a Congressional Black Caucus our 40th anniversary, we are still carrying on that fight. Our main agenda, theme, is "Creating Pathways Out of Poverty." We have had that as our agenda for the last 2 years, and we continue with that for this Congress as well.

That was a remarkable time as well. I think it did a lot to change my life in the middle of my medical studies and the course of my career. It probably has something to do with why I am here today. I wanted to also just remind everyone that as we fight for the workers, and remember Dr. King's fight for working men and women, he also was steadfastly working to help define pathways out of poverty for those who were poor then; and we continue in our 40th year to fight for the poor and help them find ways to lift them up and lift their families out of poverty.

Ms. EDWARDS. I thank the gentleman for her leadership and in bringing us together in these important hours on the floor of the House of Representatives to discuss the issues that are of the deepest concern to communities of color, to working families across this country, and a reminder of the reason why many of us have chosen to serve.

□ 2100

Dr. King knew so deeply that the middle class is, indeed, the backbone of the American economy and that by strengthening the middle class we move our Nation forward. He would understand today that, by giving tax breaks to oil companies and special privileges to the wealthy, we forget our allegiance to the most populous among us—the middle class. He understood the importance of the struggle of sanitation workers, of organizing workers, of making sure that workers were able to take care of themselves and their families as a way of moving workers into the middle class. He understood, like so many of us do, particularly for African American people, that our connection to organized labor is so important because it is through the ability to organize and to fight for our rights against injustice that we are able to move our families into the middle class.

Dr. King knew so tremendously the connection between the plight of Negroes and working people. He said at the AFL-CIO convention in December 1961: "Negroes are almost entirely a working people. There are pitifully few Negro millionaires and few Negro employers. Our needs are identical with labor's needs—decent wages, fair working conditions, livable housing, old age security, health and welfare measures, conditions in which families can grow,

have education for their children and respect in the community.” Dr. King spoke those words in December 1961. Those words could be spoken today.

Dr. King reminded the workers of the United Auto Workers at the District 65 convention in September 1962 that in the area of politics that labor and African Americans, Negroes, have identical interests. He said: “Labor has grave problems today of employment, shorter hours, old age security, housing, and retraining against the impact of automation. The Congress and the administration are almost as indifferent to labor’s program as they are toward that of the Negro. Toward both, they offer vastly less than adequate remedies for the problems which are a torment to us day after day.”

Those words spoken today speak to the plight of the workforce, to minority communities and to working families across this country. Those words spoken in 1962 could be spoken today in 2011, some 40 some years later.

One of the things that I continue to be touched by is that I was just a young girl when Dr. King died on April 4, but I always remember that day. I remember that day in my family. I remember the sadness and the tragedy, but I also remember the struggle. I think generations since my own and up until now recall that struggle and, I think, today, for the sanitation workers and remembering their struggle of some 3 months to gain the respect and dignity in the workplace: I am a man.

Now, if we had to create this placard today, we might write “I am a woman; I am a man; I am a human being”; but it still speaks to the same value, to the value of humanity and justice in the workplace. That’s the value that Dr. King spoke to. It is a value for which he died. It is a value that lives in his legacy.

So, again, I am just pleased that my colleagues have been able to join with us today, not on a day of sadness, April 4, but on a day of remembrance, on a day of reinvigoration and recommitment to those ideals that have guided us and that continue to guide us in our struggle with and for the workers across this country.

With that, I would like to yield again, just very briefly, to my colleague from New York, PAUL TONKO.

Mr. TONKO. Thank you, Representative EDWARDS.

I would have to say that I truly believe that, if Dr. King were in our presence today, he would remind us that a budget is a series of priorities. What we place high, what we place most precious in that budget, we would see as a document that speaks to a family. Just like a household will balance its needs, its concerns with its ability to pay and put together the balancing, so too does the family of America require that sort of tender balancing.

He would remind us, whether they are employed, critically unemployed or marginally underemployed, whatever the situation might be, that today

America’s middle class families are living paycheck to paycheck. That’s becoming more and more the scenario. He would have suggested, look, we need to take that concern for mortgages, that concern for college tuition, that concern for just pay, that concern for utility bills, that concern for food costs and energy costs, and we need to invest in the American working families.

Contrast that with what the other scenario might look like: handouts to oil companies, corporate loopholes that are not shut, tax breaks for the most comfortable in society. That is the contrast he would challenge us to face head on and to understand it’s about social and economic justice. It’s about bringing more balance, more fairness into the equation.

As a clergyman, he embraced the faith and brought it into the community; he brought it into America; he challenged us to respond in compassionate measure. We have it within our means to do this in a fair and just way, and that’s why we are at a tipping point in this Nation’s history where we need to look at revitalizing the middle class.

I represent many modest annual income households. They have told me their fear is about maintaining their homes; their fear is about educating their children; their fear is about tomorrow having the opportunity. I’m optimistic that we can do it because we have the skills here within the Congress to make it happen and to make it work in a progressive fashion. Do we have the will? That would be the challenge. That would be the challenge from Dr. King this very evening: Do we have the will to move forward in a progressive fashion?

So thank you, Representative EDWARDS, for bringing us together tonight in tribute to a giant of an individual, an icon in our midst.

Ms. EDWARDS. Thank you, Mr. TONKO.

With that, I’d like to yield to Congresswoman CHRISTENSEN.

Mrs. CHRISTENSEN. Thank you.

Just briefly, I want to again thank you for helping us to commemorate not only the sanitation workers’ strike but the life and legacy of Dr. King.

It is unfortunate, as we are here tonight, remembering the day that the assassination took place of this great American and great human being, that the day after, we expect a budget that is going to do just the opposite of what Dr. King would have wanted us to do.

In the last Congress, we were able to strengthen Medicare, to expand its solvency 12 years. We were able to pass the Affordable Care Act, which would expand Medicaid and make sure that, even though you were poor, you would have the ability to have quality health care. Tomorrow, we expect a budget that’s going to talk about privatizing Medicare, ending it as we know it—sacrificing the health care for seniors and children—making an enormous cut in Medicaid, and really taking away the

hope that people had when we passed the Affordable Care Act that they could not only have health care but that they could really aspire to improving their health—their own well-being as well as that of their families and their communities.

So we meet here this evening to talk about Dr. King, to talk about the challenges that our working men and women have, and to talk about the challenges of health care for those who are poor—those of all races and ethnicities—and to recommit ourselves in the memory of Dr. King to fight for working men and women and for those who need that extra hand to lift themselves and their families out of poverty.

□ 2110

I just want to say that the Congressional Black Caucus has been doing this for 40 years now.

I want to again recognize our founding members for their perspicacity and their perseverance—we still have two of those members serving with us, Congressman CHARLES RANGEL and Congressman JOHN CONYERS—and to let the American people know that we will continue to fight on their behalf tomorrow and every day as long as it is necessary.

Ms. EDWARDS. Thank you very much, Congresswoman CHRISTENSEN.

I am so proud to be a member of the Congressional Black Caucus with a 40-year history and legacy of fighting for justice and looking out for the most vulnerable and giving voice to people who would not have a voice in this United States Congress.

We are about ready to close, and I would like to end the evening and the hour by pointing those at home, those in this Chamber to an op-ed in today’s paper that actually brings together the two forces that Dr. King was bringing together even just before he was so tragically assassinated, bringing together the civil rights movement and the labor movement.

In an op-ed today in today’s Washington Post entitled, “The Middle Class Dream That Cannot Die,” Benjamin Todd Jealous, who is the president of the National Association for the Advancement of Colored People, the NAACP, and Mary K. Henry, who is the international president of the Service Employees International Union, draw together that middle class dream for the American people that’s built on a foundation of civil rights and social justice and partnered with labor and working people.

“I Am a Man.” I would like to close this evening by reminding again, all of us, that April 4 and the years we remember in between are years about building upon a tragedy to build a legacy. “I Am a Man.” Dr. King reminded us again about the fight for jobs and retirement security and health care and care for the most vulnerable.

Those are still today’s struggles: the workers that we’ve spoken about in

Wisconsin and Ohio and Indiana and all across this country who struggle for that dignity. "I Am a Man," Dr. King's words, in his famous speech, "I've Been to the Mountain Top" that he spoke just before he was assassinated. And I just want to read a portion of that that really speaks to me as a Member of Congress, as a member of the Congressional Black Caucus.

Dr. King said: "Let us rise up tonight with a greater readiness. Let us stand with a greater determination. And let us move on these powerful days, these days of challenge, to make America what it ought to be. We have an opportunity to make America a better Nation."

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

FAIR TAX

The SPEAKER pro tempore (Mr. RENACCI). Under the Speaker's announced policy of January 5, 2011, the gentleman from Georgia (Mr. WOODALL) is recognized for 30 minutes.

Mr. WOODALL. I thank the Speaker.

I'm glad I was able to get in on the tail end of that previous Special Order. As a proud resident of the State of Georgia, of course we have the King Center open to folks each and every day of the week. And if folks have not had a chance to go by and see that, it is really a fantastic testimony to the life and times of a gentleman whose true impact on this country we may not know for generations and generations to come. I could not be prouder to have that in Georgia, so I very much appreciate being able to listen in.

I, too, am down here to talk about opportunity tonight. It is April 4, it's tax season, and the Fair Tax is a proposal that is near and dear to my heart and a proposal that I believe has its time coming in opportunity.

The largest tax that 80 percent of American families pay, Mr. Speaker, is the payroll tax. That's the FICA tax that our teenagers begin to see when they take on their part-time jobs. Eighty percent of American families pay more in that FICA tax than they do in income taxes or any other tax on their ledger, and yet we spend all of our time talking about income taxes.

We rarely take a look at the payroll tax. We'll spend hours on the House floor talking about tax credits and tax deductions and tax expenditures and tax exemptions. We'll talk about lobbyists and the tax opportunities that they're looking for for their big business clients. We'll talk about loopholes and all of the unfairness of the United States Tax Code, but we rarely talk about the payroll tax.

It has been my commitment here in this month of April—which is one of the few times during the year that everyone is willing to focus on taxes for an extended period of time—to come down here and implore my colleagues to take a look at the Fair Tax and join us in our fight to repeal the income

tax—both the personal income tax and the corporate income tax—the payroll tax, the capital gains tax, the gift tax, dividend tax, estate tax, self-employment tax, and on and on, to replace them all with a single-rate personal consumption tax, the Fair Tax.

I was talking with a CEO in my district while I was home who said, Rob, we're trying to leave America just as fast as we can. You've passed some laws recently that make it a littler harder for us to do that, it's going to take us some time, but we're leaving as fast as we can because America is just not a climate to do business in anymore.

We heard my colleagues who spoke previously say that our unemployment isn't because people are being fired; it's because new people are not being hired, and the folks who generate those jobs are the small businesses in this country. How do you generate those jobs when you have the highest corporate tax rate in the world, when you have some of the highest self-employment taxes in the world, and on and on and on?

We can do a lot in this country to destroy success. We can't do a lot to create success. We have a platform here in this country already on which anyone, by the sweat of their brow, can make something of themselves. And yet one of the founders of Home Depot—a very proud company from the great State of Georgia—wrote in *The Wall Street Journal* last year that if he and his three colleagues got together today to try to start that company they would fail, that they could not succeed in starting a company in today's business environment, the regulatory environment, the labor environment, and the tax environment.

Here in April I'll be returning to the floor each and every day through April 15 to talk about one little part of the Fair Tax. We talked a little bit last Friday about how it does away with every single corporate exemption on the books—every loophole, every credit, every favor, absolutely every one. It's the only bill in Congress that does that, Mr. Speaker. It eliminates every single corporate loophole in the Tax Code because we know that businesses don't pay taxes anyway. We eliminate the corporate income tax, and we allow that to be paid at the personal consumer level.

Tonight, I just want to talk about jobs. I want to talk about that jobs don't come from the Federal Government, that jobs don't even come from big corporations. Jobs come from small entrepreneurs and risk-takers.

The power to tax is the power to destroy, and we have used the power to tax income, to tax that productiveness that each and every American goes to work for every day. Our Founding Fathers had a different view; they taxed consumption. They put tariffs on the goods that they imported from overseas under the theory that if you had enough money to spend on a silver tea

set from England, you had enough money to participate in funding your Federal Government.

That all changed in the early part of the 20th century, and we have an opportunity to change it back, H.R. 25, the Fair Tax—the single most largely co-sponsored tax bill in either the House or the Senate, more cosponsors on that bill than any other piece of fundamental tax legislation. We need more help. Today, we have 59 cosponsors of that legislation, and we need more help to make the Fair Tax a reality.

We'll have, over the next 15 days, those opportunities. You can visit our Web page at Woodall.house.gov. You can visit the Fair Tax folks' Web page at fairtax.org. Come and see what the Fair Tax offers in terms of opportunity.

The current Tax Code brings power to this city. Whether you sit on the left or whether you sit on the right, something happens when you get to Washington and you suddenly believe you're the smartest person in the room, and you begin to find ways to manipulate people's behavior in hopes that you can make them happy too.

□ 2120

Well, I could create a world my father would love and my mother would hate.

We're not in the business of making people happy. We're in the business of ensuring opportunity. We can absolutely ensure that everyone in this country is poor. We cannot ensure that everyone is rich. We can only provide opportunity. The Fair Tax provides that opportunity by completely removing the impediments that are there to growth today.

Eighty percent of American families pay more in payroll taxes than income taxes. As you fill out your tax forms headed towards April 15, I want you to look at that income tax figure. And if you're self-employed, you'll see the self-employment tax figure there beside it. Eighty percent of American families never get touched by a tax bill that we do here.

As we move the Fair Tax forward, we're going to change that, and we're going to make America an opportunity society once again.

With that, Mr. Speaker, I'm grateful to you for indulging me this evening to talk a little bit about a passion that's near and dear to my heart.

I yield back the balance of my time.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 9 o'clock and 21 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2326

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ROGERS of Kentucky) at 11 o'clock and 26 minutes p.m.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

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

Ms. JACKSON LEE of Texas (at the request of Ms. PELOSI) for today on account of official business in the district.

Mr. FRELINGHUYSEN (at the request of Mr. CANTOR) for today through April 6 on account of surgery.

Mrs. BLACK (at the request of Mr. CANTOR) for today on account of being unavoidably detained due to inclement weather, specifically high winds and tornadoes in middle Tennessee en route to the Capitol Building.

Mr. POE of Texas (at the request of Mr. CANTOR) for today on account of other congressional business.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 10 a.m. tomorrow for morning-hour debate.

There was no objection.

Accordingly (at 11 o'clock and 27 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, April 5, 2011, at 10 a.m.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1002. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Potassium benzoate; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2011-0117; FRL-8863-2] received March 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1003. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Peroxyacetic Acid; Amendment to an Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2008-0021; FRL-8865-3] received March 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1004. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fomesafen; Pesticide Tolerances [EPA-HQ-OPP-2010-0122; FRL-8858-5] received March 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1005. A letter from the Assistant Secretary, Department of Defense, transmitting a report on assistance provided by the Department of Defense to civilian sporting events in support of essential security and safety,

covering the period of calendar year 2010, pursuant to 10 U.S.C. 2564(e); to the Committee on Armed Services.

1006. A letter from the Under Secretary, Department of Defense, transmitting authorization of 3 officers to wear the authorized insignia of the grade of brigadier general; to the Committee on Armed Services.

1007. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Thomas G. Miller, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

1008. A letter from the Chairman, Congressional Oversight Panel, transmitting the Panel's monthly report pursuant to Section 125(b)(1) of the Emergency Economic Stabilization Act of 2008, Pub. L. 110-343; to the Committee on Financial Services.

1009. A letter from the Executive Director, Consumer Product Safety Commission, transmitting the Fiscal Year 2010 Annual Report; to the Committee on Energy and Commerce.

1010. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Placement of 5-Methoxy-N,N-Dimethyltryptamine into Schedule I of the Controlled Substances Act [Docket No.: DEA-331F] received February 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1011. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Updating Cross-References for the Oklahoma State Implementation Plan [EPA-HQ-OAR-2009-0517; FRL-9275-7] received March 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1012. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Texas: Final Authorization of State-initiated Changes and Incorporation by Reference of State Hazardous Waste Management Program [EPA-R06-RCRA-2010-0587; FRL-9274-4] received March 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1013. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Tennessee; Redesignation of the Knoxville 1997 8-Hour Ozone Nonattainment Area to Attainment for the 1997 8-Hour Ozone Standards [EPA-R04-OAR-2010-0666-201052; FRL-9277-1] received March 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1014. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; Kentucky; Louisville Nonattainment Area; Determination of Attainment of the 1997 Annual Fine Particle Standard [EPA-R05-OAR-2010-0210; FRL-9277-2] received March 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1015. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines [EPA-HQ-OAR-2008-0708; FRL-9277-3] (RIN: 2060-AQ78) received March 3, 2011, pursuant to 5

U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1016. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: New Substitute in the Motor Vehicle Air Conditioning Sector under the Significant New Alternatives Policy (SNAP) Program [EPA-HQ-OAR-2008-0664; FRL-9275-8] (RIN: 2060-AP11) received March 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1017. A letter from the Policy Adv./Chief, Wireless Telecom. Bureau, Federal Communications Commission, transmitting the Commission's final rule — Review of Part 87 of the Commission's Rules Concerning the Aviation Radio Service [WT Docket No.: 01-289] received February 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1018. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Table of Allotments, FM Broadcast Stations. (Enfield, New Hampshire; Hartford and White River Junction, Vermont; and Keeseville and Morrisville, New York) [MB Docket No. 05-162] received February 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1019. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Implementation of Section 304 of the Telecommunications Act of 1996, Commercial Availability of Navigation Devices, Compatibility Between Cable Systems and Consumer Electronics Equipment [CS Docket No.: 97-80] [PP Docket No.: 00-67] [File Nos. EB-07-SE-351, EB-07-SE-352] received February 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1020. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-06, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1021. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-140, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1022. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a determination to waive for a period of six months the restrictions of Section 1003 of Public Law 100-204; to the Committee on Foreign Affairs.

1023. A letter from the Chairman, International Fund for Ireland, transmitting the Fund's Annual Report and Accounts covering the period 1 October 2009 to 30 September 2010; to the Committee on Foreign Affairs.

1024. A letter from the Secretary, Department of Veterans Affairs, transmitting the Department's annual report for fiscal year 2010, in accordance with Section 203(a) of the Notification and Federal Employee Anti-discrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1025. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Harvesting Pacific Cod for Processing by the Inshore Component in the Central Regulatory Area of the Gulf of Alaska [Docket

No.: 0910131362-0087-02] (RIN: 0648-XA187) received February 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1026. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Closure of the 2010-2011 Recreational Sector for Black Sea Bass in the South Atlantic [Docket No.: 0907271173-0629-03] (RIN: 0648-XA154) received February 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1027. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands [Docket No.: 0910131363-0087-02] (RIN: 0648-XA151) received February 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1028. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic [Docket No.: 001005281-0369-02] (RIN: 0648-XA195) received February 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1029. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Pacific Halibut Fisheries; Guided Sport Charter Vessel Fishery for Halibut; Recordkeeping and Reporting [Docket No.: 0911201413-1051-02] (RIN: 0648-AY38) received February 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1030. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure [Docket No.: 001005281-0369-02] (RIN: 0648-XA199) received February 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1031. A letter from the Delegated the Authority of the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the Montana Advisory Committee; to the Committee on the Judiciary.

1032. A letter from the Delegated the Authority of the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the North Dakota Advisory Committee; to the Committee on the Judiciary.

1033. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's quarterly report from the Office of Privacy and Civil Liberties for the fourth quarter of fiscal year 2010; to the Committee on the Judiciary.

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. HALL: Committee on Science, Space, and Technology. H.R. 970. A bill to reauthorize the civil aviation research and development projects and activities of the Federal Aviation Administration, and for other purposes; with an amendment (Rept. 112-52). Referred to the Committee of the Whole House on the State of the Union.

Mr. WOODALL: Committee on Rules. A resolution providing for consideration of the joint resolution (H.J. Res. 37) disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices (Rept. 112-53). 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. OLSON (for himself, Mr. POE of Texas, Mr. SAM JOHNSON of Texas, Mr. MCKINLEY, and Mr. FARENTHOLD):

H.R. 1341. A bill to amend title 5, United States Code, to require the Environmental Protection Agency to include in any notice of rule making a statement regarding the impact of the rule on jobs loss or creation, and for other purposes; to the Committee on the Judiciary.

By Ms. HIRONO (for herself and Mrs. NOEM):

H.R. 1342. A bill to reauthorize the impact aid program under the Elementary and Secondary Education Act of 1965; to the Committee on Education and the Workforce.

By Mr. BASS of New Hampshire:

H.R. 1343. A bill to return unused or reclaimed funds made available for broadband awards in the American Recovery and Reinvestment Act of 2009 to the Treasury of the United States; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRALEY of Iowa (for himself, Mr. DEFAZIO, Ms. DELAURO, Ms. SUTTON, Mr. LIPINSKI, and Ms. EDWARDS):

H.R. 1344. A bill to require the purchase of domestically made flags of the United States of America for use by the Federal Government; to the Committee on Oversight and Government Reform.

By Mr. CHABOT:

H.R. 1345. A bill to rescind any unobligated discretionary appropriations returned to the Federal Government by a State or locality and require that such funds be retained in the general fund of the Treasury for deficit reduction; to the Committee on Appropriations.

By Mr. CHABOT:

H.R. 1346. A bill to amend the Sherman Act to make oil-producing and exporting cartels illegal; to the Committee on the Judiciary.

By Mr. CHABOT:

H.R. 1347. A bill to combat international oil price fixing and to amend the Internal Revenue Code of 1986 to allow individuals a credit against income tax of at least \$1,000 to offset high 2011 gasoline and diesel fuel prices; to the Committee on Ways and Means, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COURTNEY (for himself, Mr. LARSON of Connecticut, Ms. SUTTON, and Mr. GERLACH):

H.R. 1348. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend public safety officers' death benefits to fire police officers; to the Committee on the Judiciary.

By Mr. ISRAEL:

H.R. 1349. A bill to establish an advisory committee to issue nonbinding government-wide guidelines on making public information available on the Internet, to require publicly available Government information held by the executive branch to be made available on the Internet, to express the sense of Congress that publicly available information held by the legislative and judicial branches should be available on the Internet, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. KAPTUR (for herself, Ms. WATERS, Ms. SCHAKOWSKY, Ms. WOOLSEY, Mr. JACKSON of Illinois, Ms. TSONGAS, and Ms. NORTON):

H.R. 1350. A bill to provide additional resources for Federal investigations and prosecutions of crimes related to the 2008 Financial Crisis, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Financial 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. LYNCH (for himself and Mr. CUMMINGS):

H.R. 1351. A bill to amend the provisions of title 5, United States Code, relating to the methodology for calculating the amount of any Postal surplus or supplemental liability under the Civil Service Retirement System, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. MARKEY (for himself, Mr. HOLT, Mr. HINCHEY, Mr. GEORGE MILLER of California, Mrs. CAPPS, and Mr. MORAN):

H.R. 1352. A bill to prohibit the Secretary of the Interior from issuing any new lease that authorizes the production of oil or natural gas under the Outer Continental Shelf Lands Act to a person that does not renegotiate existing leases held by the person to incorporate limitations on royalty relief based on market price that are equal to or less than price thresholds that apply to other leases under that Act, and for other purposes; to the Committee on Natural Resources.

By Mr. MURPHY of Connecticut:

H.R. 1353. A bill to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects; to the Committee on Energy and Commerce.

By Mr. MURPHY of Connecticut (for himself, Mr. CONNOLLY of Virginia, Ms. SUTTON, Mr. JONES, and Mr. LIPINSKI):

H.R. 1354. A bill to amend titles 10 and 41, United States Code, to allow contracting officers to consider information regarding domestic employment before awarding a Federal contract, and for other purposes; to the Committee on Oversight and Government Reform, 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. NEUGEBAUER (for himself, Mrs. CAPITO, and Mr. CANSECO):

H.R. 1355. A bill to amend the Consumer Financial Protection Act of 2010 to move the Bureau of Consumer Financial Protection into the Department of the Treasury; to the Committee on Financial Services.

By Mr. PERLMUTTER (for himself, Mr. COFFMAN of Colorado, Mr. TIPTON, and Mr. GARDNER):

H.R. 1356. A bill to provide amortization authority in certain situations, for purposes of capital calculation under the Financial Institutions Examination Council's Consolidated Reports of Condition and Income; to the Committee on Financial Services.

By Mr. PIERLUISI (for himself, Mrs. CHRISTENSEN, Mr. SERRANO, Mr. GONZÁLEZ, Mr. GRIJALVA, Mr. HINOJOSA, Ms. BORDALLO, Ms. ROYBAL-ALLARD, Mr. FALDOMAVEGA, Ms. VELÁZQUEZ, and Mr. GUTIERREZ):

H.R. 1357. A bill to amend part B of title XVIII of the Social Security Act to change the rules relating to enrollment of residents of Puerto Rico under part B of the Medicare program; to the Committee on Energy and Commerce, 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. REHBERG:

H.R. 1358. A bill to rescind certain Federal funds identified by States as unwanted and use the funds to reduce the Federal debt; to the Committee on Appropriations.

By Ms. ROS-LEHTINEN (for herself, Ms. WILSON of Florida, Mr. RIVERA, Ms. WASSERMAN SCHULTZ, and Mr. DIAZ-BALART):

H.R. 1359. A bill to amend section 105 of the Housing and Community Development Act of 1974 to temporarily increase the limit on the portion of community development block grants amounts for certain entitlement communities that may be used for public services; to the Committee on Financial Services.

By Mr. SCHIFF (for himself, Mr. ROGERS of Michigan, and Mr. CONYERS):

H.R. 1360. A bill to amend the National Child Protection Act of 1993 to establish a permanent background check system; to the Committee on the Judiciary.

By Mr. TOWNS (for himself, Mr. MANZULLO, Ms. CLARKE of New York, Mr. CLEAVER, Ms. JACKSON LEE of Texas, Mrs. MALONEY, Mr. MEEKS, Mr. RANGEL, Mr. THOMPSON of Mississippi, Ms. WATERS, Ms. RICHARDSON, Mr. PAYNE, Mr. GRIJALVA, and Ms. NORTON):

H.R. 1361. A bill to provide for restroom gender parity in Federal buildings; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Oversight and Government Reform, 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. YODER:

H.R. 1362. A bill to ensure that members of the Armed Forces continue to receive their pay and allowances despite a shutdown of the Federal Government and in the event that the debt of the United States Government reaches the statutory limit; to the Committee on Armed Services, and in addition to the Committees on Transportation and Infrastructure, and 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. ROGERS of Kentucky:

H.R. 1363. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes; to the Committee on Appropriations, 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. CANTOR (for himself, Mr. WAXMAN, and Mr. LATOURETTE):

H. Con. Res. 33. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust; to the Committee on House Administration.

By Mr. KILDEE:

H. Res. 201. A resolution expressing support for the designation of May as Ehlers-Danlos Syndrome Awareness Month to increase the knowledge of this little-known, potentially fatal, genetic disease; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. OLSON:

H.R. 1341.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof. (Necessary and Proper Regulations to Effectuate Powers)

By Ms. HIRONO:

H.R. 1342.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.

By Mr. BASS of New Hampshire:

H.R. 1343.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution ("The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes").

By Mr. BRALEY of Iowa:

H.R. 1344.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CHABOT:

H.R. 1345.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to the Tenth Amendment: The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

By Mr. CHABOT:

H.R. 1346.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article 1, Section 8, Clause 3: The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. CHABOT:

H.R. 1347.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article 1, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. COURTNEY:

H.R. 1348.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .

By Mr. ISRAEL:

H.R. 1349.

Congress has the power to enact this legislation pursuant to the following:

The legislature power vested in Congress by Article I of the Constitution to conduct oversight of executive agencies, and the "Necessary and Proper" clause found in Article I, section 8, cl.18.

By Ms. KAPTUR:

H.R. 1350.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. LYNCH:

H.R. 1351.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MARKEY:

H.R. 1352.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority of Congress to enact this legislation is provided by Article IV, Section 3, which provides that Congress shall have the power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.

By Mr. MURPHY of Connecticut:

H.R. 1353.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution.

By Mr. MURPHY of Connecticut:

H.R. 1354.

Congress has the power to enact this legislation pursuant to the following:

The enumerated powers in Article I, section 8 of the U.S. Constitution.

By Mr. NEUGEBAUER:

H.R. 1355.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 8, Clause 3

The Congress shall have power to regulate Commerce with foreign Nations, and among

the several States, and with the Indian Tribes.

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. PERLMUTTER:

H.R. 1356.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. PIERLUISI:

H.R. 1357.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution; to make all laws which shall be necessary and proper for carrying into execution such power, as enumerated in Article I, Section 8, Clause 18 of the Constitution; and to make rules and regulations respecting the U.S. territories, as enumerated in Article IV, Section 3, Clause 2 of the Constitution.

By Mr. REHBERG:

H.R. 1358.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law"

By Ms. ROS-LEHTINEN:

H.R. 1359.

Congress has the power to enact this legislation pursuant to the following:

Article I—The Legislative Branch.

Section 1: The Legislature:

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 8:

Clause 1. The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Clause 18. The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SCHIFF:

H.R. 1360.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: The Child Protection Improvements Act of 2011 is constitutionally authorized under Article I, Section 8, Clause 18, the Necessary and Proper Clause. The Necessary and Proper Clause supports the expansion of congressional authority beyond the explicit authorities that are directly discernible from the text. Additionally, the Preamble to the Constitution provides support of the authority to enact legislation to promote the General Welfare.

By Mr. TOWNS:

H.R. 1361.

Congress has the power to enact this legislation pursuant to the following:

This Bill is enacted pursuant to Article I, Section 8, Clause 1 of the United States Constitution, known as the "General Welfare Clause." This provision grants Congress the broad power "to pay the Debts and provide for the common defense and general welfare of the United States."¹

¹Please note, pursuant to Article I, section 8, Congress has the power "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. YODER:

H.R. 1362.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clauses 1 & 12 of the United States Constitution, Which grants Congress the power to provide for the common defense; to raise and support an Army and

Article I, section 9, Clause 7 of the United State Constitution, Which states that "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law"

By Mr. ROGERS of Kentucky:

H.R. 1363.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law" In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States" Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 5: Mr. LABRADOR.
H.R. 23: Ms. WOOLSEY.
H.R. 25: Mr. BROUN of Georgia.
H.R. 56: Mr. CONNOLLY of Virginia.
H.R. 58: Mr. SIMPSON, Mr. CHAFFETZ, Mr. GARRETT, Mr. BURTON of Indiana, Mrs. MILLER of Michigan, Mr. SAM JOHNSON of Texas, Mr. BROOKS, and Mrs. ELLMERS.
H.R. 59: Mr. GARY G. MILLER of California.
H.R. 114: Mrs. McMORRIS RODGERS and Mr. REED.
H.R. 122: Mr. TIPTON and Mr. RIGELL.
H.R. 178: Mr. SABLAN, Mr. FILNER, Mr. HELLER, Mr. LUCAS, and Mr. ROSKAM.
H.R. 258: Mr. CONNOLLY of Virginia and Mr. GERLACH.
H.R. 324: Mr. CONNOLLY of Virginia.
H.R. 361: Mr. JOHNSON of Ohio and Mr. SHUSTER.
H.R. 365: Ms. SUTTON.
H.R. 369: Mrs. ELLMERS, Mr. GOODLATTE, Mr. MANZULLO, Mr. NEUGEBAUER, Mr. PEARCE, and Mr. POSEY.
H.R. 412: Mr. MCINTYRE and Mr. PETRI.
H.R. 420: Mrs. MILLER of Michigan, Mr. GRIMM, Mr. BURTON of Indiana, Mr. GARRETT, Mr. CHAFFETZ, Mr. SIMPSON, and Mr. SAM JOHNSON of Texas.
H.R. 422: Mr. KUCINICH.

H.R. 452: Mr. ALEXANDER.
H.R. 456: Mr. FITZPATRICK.
H.R. 563: Mr. CRITZ.
H.R. 576: Mr. KUCINICH.
H.R. 640: Ms. NORTON.
H.R. 719: Ms. MCCOLLUM.
H.R. 721: Mr. KELLY.
H.R. 745: Mr. RIGELL, Mr. COBLE, Mr. BROUN of Georgia, Mr. SESSIONS, Mr. ROHR-ABACHER, Mr. FLAKE, and Mr. MCCLINTOCK.
H.R. 747: Mr. CONYERS.
H.R. 750: Mr. REHBERG.
H.R. 763: Mr. BISHOP of Utah and Mr. LABRADOR.
H.R. 776: Mr. CUMMINGS.
H.R. 780: Mr. WAXMAN.
H.R. 782: Mr. GARY G. MILLER of California.
H.R. 805: Mr. MICHAUD and Mr. STARK.
H.R. 809: Mr. MCGOVERN and Mr. STARK.
H.R. 812: Mr. DEFazio and Mr. SHULER.
H.R. 816: Mrs. CAPITO.
H.R. 822: Mr. DENHAM, Mr. RYAN of Ohio, Mr. CAMP, Mr. LUCAS, Mr. MCKINLEY, Mr. SHUSTER, and Mr. REED.
H.R. 860: Mr. TIBERI and Mr. STIVERS.
H.R. 862: Ms. SLAUGHTER.
H.R. 865: Mr. PASCARELL, Mrs. CAPPS, Mr. SIREs, and Mr. SMITH of Washington.
H.R. 878: Ms. BROWN of Florida.
H.R. 912: Mr. ACKERMAN and Mr. KUCINICH.
H.R. 942: Mr. POMPEO and Mr. STEARNS.
H.R. 965: Mr. SHERMAN, Ms. PINGREE of Maine, Mr. BLUMENAUER, and Mr. CONNOLLY of Virginia.
H.R. 984: Mr. GARY G. MILLER of California, Mr. YODER, Mr. CONAWAY, and Mr. FITZPATRICK.
H.R. 998: Ms. DELAUNO.
H.R. 1023: Mr. BURTON of Indiana.
H.R. 1025: Mr. LUETKEMEYER.
H.R. 1041: Mr. COURTNEY, Mr. HECK, Mr. JONES, Mr. SHUSTER, Mr. GIBBS, Mr. OWENS, Mr. KING of Iowa, Mr. WESTMORELAND, Mr. ADERHOLT, and Mr. MCKINLEY.
H.R. 1058: Mr. JOHNSON of Ohio and Mr. COHEN.
H.R. 1081: Mr. WEST, Mr. HUELSKAMP, Mr. CLARKE of Michigan, and Mr. SARBANES.
H.R. 1093: Mr. CHAFFETZ, Mr. BURTON of Indiana, Mr. GARRETT, Mrs. MILLER of Michigan, Mr. SAM JOHNSON of Texas, and Mr. BROOKS.
H.R. 1112: Mr. CARTER and Mr. LONG.
H.R. 1144: Mr. THOMPSON of Mississippi.
H.R. 1199: Mr. KUCINICH.
H.R. 1206: Mr. DOLD, Mr. GARDNER, Mr. CASSIDY, and Mr. FITZPATRICK.
H.R. 1219: Ms. HANABUSA.
H.R. 1228: Mr. SCALISE and Mr. CASSIDY.
H.R. 1234: Mr. BOREN, Mr. HONDA, and Mr. FALCONEVAEGA.
H.R. 1252: Mr. DOLD.
H.R. 1254: Mr. HOLDEN.
H.R. 1259: Mr. HUELSKAMP and Mr. GRIFFIN of Arkansas.
H.R. 1266: Mr. MARINO.
H.R. 1281: Mr. PITTS.
H.R. 1291: Mr. BOREN.
H.R. 1297: Mr. BILIRAKIS, Mrs. BLACKBURN, Mr. BURGESS, Mr. CONAWAY, Mrs. ELLMERS, Mr. GRIMM, Ms. JENKINS, Mr. LABRADOR, Mr. LONG, Mr. MCKINLEY, Mr. MICHAUD, Mr. MURPHY of Pennsylvania, Mr. REICHERT, Mrs. ROBY, Mr. ROSS of Florida, Mr. SCALISE, Mr. WEBSTER, and Mr. YODER.
H.R. 1302: Mr. WELCH.
H.J. Res. 46: Mr. MCKINLEY.
H. Res. 25: Mr. HIGGINS, Ms. BORDALLO, and Mrs. BLACKBURN.
H. Res. 85: Mr. BURTON of Indiana.
H. Res. 137: Mr. WALZ of Minnesota, Mr. ROTHMAN of New Jersey, Mr. ENGEL, Mr. TONKO, Mr. QUIGLEY, and Mr. ANDREWS.
H. Res. 142: Mr. DOLD.
H. Res. 166: Mr. ELLISON.
H. Res. 172: Mr. GRIMM.
H. Res. 176: Mr. GRILJALVA.
H. Res. 177: Mr. COBLE.

H. Res. 185: Ms. ZOE LOFGREN of California and Mr. FARR.

H. Res. 198: Mr. HOYER, Mr. WELCH, Ms. JACKSON LEE of Texas, and Ms. WOOLSEY.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks,

limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. ROGERS OF KENTUCKY

H.R. 1363, the Department of Defense and Further Additional Continuing Appropriations Act, 2011, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 rule XXI.

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. 1323: Mr. McKEON.



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No. 47

Senate

The Senate met at 2 p.m. and was called to order by the Honorable MICHAEL F. BENNET, a Senator from the State of Colorado.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, the architect and sustainer of our destinies, You are the source and center of our highest joy. Bring into this Chamber a unity that will destroy cynicism, criticism, and complacency.

Lord, we need this unity to maintain a government worthy of those who have sacrificed so much for freedom. As the American people view today's deliberations, may they sense a fresh civility and respect that are truly exemplary. Let Your kingdom come. Let Your will be done on Earth as it is in heaven. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MICHAEL F. BENNET 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. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 4, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MICHAEL F. BENNET, a Senator from the State of Colorado, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. BENNET thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. REID. Mr. President, there will be a period of morning business, with Senators permitted to speak for up to 10 minutes each. Following morning business, the Senate will proceed to executive session to consider the nomination of Jimmie Reyna to be U.S. circuit judge. We will vote on that at 5:30 this afternoon.

Additionally, we were able to reach an agreement to vote in relation to H.R. 4, the 1099 repeal. This is not going to be part of the small business jobs bill we have before us. We have spun that out so it can go right to the House. We have spent enough time on the 1099. Senators should expect two rollcall votes on 1099, on Tuesday, prior to the caucus meetings.

I have spoken to the Republican leader, and we think we may have a pathway cleared to finish the small business jobs bill, but we will see how that turns out. We will work on that today and in the morning and certainly at our caucuses tomorrow afternoon.

MEASURES PLACED ON THE CALENDAR—S. 706 AND H.R. 471

Mr. REID. Mr. President, I am told there are two bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the titles of the bills for the second time.

The legislative clerk read as follows:

A bill (S. 706) to stimulate the economy, produce domestic energy, and create jobs at no cost to the taxpayers, and without borrowing money from foreign governments for which our children and grandchildren will be responsible, and for other purposes.

A bill (H.R. 471) to reauthorize the DC opportunity scholarship program, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to these bills en bloc.

The ACTING PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar under the provisions of rule XIV.

BUDGET NEGOTIATIONS

Mr. REID. Mr. President, the time we have left to work on a budget agreement is extremely short. The window in which we can avoid the terrible consequences of a shutdown is closing quickly. It is no longer measured in months or weeks. We are now down to just a few days in this deadline. The time we have to get the long legislative process started in both Houses is measured in hours.

It is clear those sitting at the negotiating table have different priorities. That is true of any negotiation. We all should share the same goal: to keep the country running and to keep the momentum of our economic recovery moving forward. We all want to cut the deficit.

Last week, we agreed upon a number on which to base our budget—\$73 billion below the President's proposal. But disagreements remain on where we should make those cuts. We worked

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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through the weekend to bridge that gap. We have made some progress, but we are not where we should be yet.

There is another way in which the sides remain separated. Democrats have demonstrated throughout this process that we are willing to meet in the middle, but Republicans and the tea party continue to reject reality and insist, instead, on ideology. Let me give a couple of examples.

First, they refuse to recognize H.R. 1—that is the budget the House passed—isn't going to happen. The tea party pushed it through the House over the objections of some Republicans and all Democrats. Then, the Senate soundly defeated it. Even all Republicans didn't vote for this H.R. 1 in the Senate. We all know the President would never sign it into law anyway.

So the Republican Party and the tea party need to admit the Democrats have proven what the country already knows—that neither party can pass a budget without the other party and neither Chamber can send it to the President without the other Chamber. Democrats stand ready to meet the Republicans halfway and the Senate stands ready to meet the House halfway. We hope our partners on the other side are willing to be as reasonable.

Second, tea party Republicans refuse to recognize that their budget is simply an appalling proposal. They stomp their feet and call “compromise” a dirty word and insist on a budget that will hurt America rather than help it. It slashes programs for the sake of slashing programs. It chops zeros off the budget for nothing more than bragging rights. The authors and advocates of the Republican budget either completely ignore the practical impact of their dangerous cuts or they know the damage they will do and simply don't care. Either way, it is not right.

Their budget would not do a thing to lower unemployment. In fact, it will cost the country 700,000 jobs. That is not my estimate but the estimate of the head of Moody's, an independent economist who has worked for both Democrats and Republicans.

It will also hurt seniors. It slashes funding from the Social Security Administration, which means seniors and disabled Americans who count on the benefits they have earned over a lifetime of hard work will have to wait for these benefits. In many cases, those Social Security checks are seniors' only source of income. In some cases, they are the only thing keeping them out of poverty, and those checks have nothing at all to do with the deficit—nothing.

The Republican budget will hurt women and their families. It cuts nutritional programs for women, infants, and children. This program has nothing to do with the deficit. This program—the WIC Program, Women, Infants and Children—is a program for the very poor. Their budget makes cuts to Planned Parenthood based on ideology, not economics. Planned Parenthood

doesn't contribute to the deficit, but it does contribute, in great measure, to the health and safety of women of every age in every State.

Their budget will also hurt our veterans. There is a veterans program in this country that helps homeless veterans afford housing. Democrats think our Nation's veterans who are down and out deserve a roof over their heads, and we think it is a worthy program. The Republican budget nearly eliminates it.

Their budget will also hurt students. The tea party plan kicks hundreds of thousands of impoverished boys and girls out of Head Start, a program to allow them to learn to read—little preschool kids. It cuts college students' Pell grants and slashes job training programs. That is no way to recover.

Independent economists have analyzed the tea party's plan and found it will actually put the brakes on economic growth. The point of this whole exercise—of a budget—is to help the economy. Democrats will not stand for a budget that weakens our economy.

None of the people I have just mentioned led us into the recession. Punishing innocent bystanders, such as seniors, women, veterans, and students will not lead us to a recovery. This is what we mean when we say their budget is based on ideology and not reality. This is what we mean when we say the Republican and tea party budget slashes irresponsibly. When they refuse to relent on those dangerous cuts—many of which have nothing to do with the deficit—that is what we mean when we say the other side simply isn't being reasonable.

Our national budget reflects our values and the tough choices we make. Democrats have made many tough choices because we know sacrifices are the cost of consensus, and we believe they are worth it. But we have never forgotten that what we cut is more important than how much we cut.

In addition to the many choices about what to slash and what to keep, the Republican leadership has another very big choice to make: It has to decide whether it will do what the tea party wants it to do or what the country needs it to do.

I am hopeful it will make the right choice and we can come to a timely agreement. But the bottom line is this: At the end of the day, we are all on the same side. Time now is not on our side. I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

GUANTANAMO BAY

Mr. McCONNELL. Mr. President, amidst all the other business we will be facing this week, I wish to note a welcome development in the war on terror.

For the last 2 years, the Obama administration has actively sought to bring the 9/11 plotters into our communities for civilian trials, a completely horrible idea that rightly drew overwhelming bipartisan opposition from the American people and from their elected Representatives here in Congress. Today, the administration is announcing it has changed course. The administration, incredibly enough, today is announcing it has changed course and that Khalid Shaikh Mohammed and the others who plotted these horrible attacks will be tried in military commissions at Guantanamo Bay rather than in a civilian trial in New York or some other U.S. city.

I remember all of our discussions on this issue over the last 2 years. The President issued an Executive order on day 1 to close Guantanamo. He indicated they were going to mainstream these terrorists into the U.S. court system, so this change today is truly a welcome development, the administration announcing that KSM and the others who plotted these crimes will be tried in a proper jurisdiction, these military commissions, at the proper place for these commission trials, Guantanamo Bay. This is the right outcome to the long and spirited debate that preceded this decision. Military commissions at Guantanamo, far from the U.S. mainland, were always the right idea for a variety of compelling reasons which I and others have enumerated repeatedly over the last years. For the sake of the safety and the security of the American people, I am glad the President reconsidered his position on how and where to try these detainees. Going forward, this model should be the rule rather than the exception. I am sure this decision will draw widespread approval and it is very welcome news.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 4:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. McCONNELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE COTE D'IVOIRE

Mr. INHOFE. Mr. President I am going to come back at 4 o'clock today

because there is something going on. With all the people talking about the atrocities in Libya and throughout the Middle East, there is one more atrocity that is taking place right now in a country called Cote D'Ivoire in West Africa. I want to make sure I get on record in that I believe our State Department is wrong in the position they have taken. I think we can right now avert a real tragedy, something maybe comparable to what happened in 1994 in Rwanda with that genocide. I want to come back and talk about that, but I am going to do that sometime around 4 o'clock this afternoon.

CAP AND TRADE

Mr. INHOFE. Mr. President, the business at hand is the amendments to the small business act. The amendment that has been most talked about is the one I have authored, along with Senator McCONNELL. It is the same thing as the bill I introduced some time ago with Congressman FRED UPTON of the House and myself in the Senate.

To give a little background, let me say this has been about a 9-year battle for me. I have gone back, all the way back to Kyoto when we talked about the fact that we were going to have to do something to limit greenhouse gases at that time. This was a national treaty at that time during the Clinton-Gore administration. Everyone at that time stated and believed, and I agreed because no one said anything to the contrary, that anthropogenic gases, greenhouse gases, methane and so forth, CO₂, caused catastrophic global warming. That started with the United Nations Intergovernmental Panel On Climate Change. It met many years ago, back in the 1990s.

Then there was a wakeup call and we thought, Why should we, the United States of America, sign on to a treaty when the rest of the world was not going to do it, when it was going to be difficult for us economically, and it would not affect the developing world? So we passed a resolution saying we were not going to do it.

However, right after that, starting in 2003—2003, 2005, 2007, 2009, and as recently as last year—different Members have introduced legislation that would impose almost the same thing as the Kyoto treaty on us and that is cap and trade.

At that time, Republicans were the majority. I was the chairman of the Environment and Public Works Committee. In that committee we thought we had better look at this to make sure the science is there. This is important, because we had found out that for us to pass a cap-and-trade bill, the cost would be somewhere between \$300 and \$400 billion a year. My feeling, as chairman of that committee, was let's find out if in fact the science is there.

Scientists started coming to me—one after another and another when they knew I was going to at least question the legitimacy of the science—and

said: The science is not there. We would like the opportunity to get our views in.

That became a reality, so we defeated all the bills up to and including the Waxman-Markey bill that passed the House and came over to the Senate. Let me say we are talking about something that would cost the American people between \$300 billion and \$400 billion a year.

Sometimes I am not quite as smart as some of the guys here, so when you talk about billions and trillions of dollars I like to look and see how does that affect my State of Oklahoma. I have the total number of tax returns filed by Oklahomans. I do the math. When you do the math with \$300 to \$400 billion a year that means it would cost my average taxpayer who files a tax return in Oklahoma a little over \$3,100 a year.

If that is going to stop the world from coming to the end, maybe it is worth that. But what do you get for that? I even asked Lisa Jackson, the Administrator of the EPA. She is one appointed by President Obama. I asked her in a public hearing if we were to pass any of these cap-and-trade bills that would be so costly to Americans, what would it do in terms of greenhouse gases?

Her response was it would do very little if anything because that would only affect the United States of America and that is not where the problem is. The problem is in China and India and Mexico, places where they do not have any restraints on emissions. So as we lost our jobs to other states, obviously it is going to end up not decreasing but increasing the emissions of CO₂.

That is where we were. We passed all these things. With the President absolutely committed to doing something about the emissions of CO₂, he decided he would do through regulation what he could not do through legislation. We had legislation that could not pass and so obviously he went ahead and started saying we are going to let the EPA do the same thing as we would have done in with legislation. That, again, would cost the American people between \$300 and \$400 billion a year.

This is kind of in the weeds, but to do that you have to have an endangerment finding and the endangerment finding has to be a proclamation by the administration. It has to be based on science.

A year-and-a-half ago, right before the Copenhagen event, again, Lisa Jackson, the Administrator of the EPA, a very fine person who is courageous enough to tell the truth when asked a question, was in and I again asked in a public forum: Director Jackson, I am going to leave for Copenhagen. I am going to be a one-man truth squad to go over there and undo the damage that has been done by people who are going to go over there and try to make people think we are going to pass all kinds of legislation. If you are going to do this through the admin-

istration, that means you have to base it on some type of science. I asked the question: What science would you base this assumption on, the endangerment finding?

The answer was the IPCC. That is the Intergovernmental Panel on Climate Change. It is the United Nations. For others who get offended by some of the things the United Nations does, it all started with the United Nations. We are going to be in a position to see where we would go from here.

With that, coincidentally—and it was not by design—somebody uncovered a lot of e-mails and things over in Europe that totally debunked or discredited what they were trying to do over there with the science. In other words, the IPCC was cooking the science. I think we all know that.

Now we have an effort to use an endangerment finding to try to do this by regulation. They are going full ahead as much as they can.

I have to say, it is my feeling the Obama administration does not want to have fossil fuels. When I say that, I would back up some of those things by stating what the administration said. Alan Krueger, the Assistant Secretary for Economic Policy, said:

The administration believes it is not longer sufficient to address the nation's energy needs by finding more fossil fuels.

We are talking about oil, gas, coal, fossil fuels.

Then there was a statement made:

To the extent lower tax rate encourages overproduction of oil and gas, it is detrimental to long-term energy security. . . .

By this, the Nation is saying we want green energy. That is fine. After I am dead and gone, I am sure the technology will be there and we will be able to run the country on green energy. In the meantime, you cannot do it without oil, gas, and coal. Right now we are depending on coal for 50 percent of all of our energy.

I wish to say also, here is another statement out of the Obama administration. Steven Chu, Secretary of Energy, told the Wall Street Journal "somehow we have to figure out how to boost the price of gasoline to the levels in Europe."

In other words, unless we get the American people complaining about the high price of gas, we are not going to be doing anything. The bottom line is they are trying to boost the price of gas to do that.

This is the surprise here. I could not have said this a year ago, but the CRS, Congressional Research Service, which pretty much is not challenged, came out with the fact that we in the United States have more recoverable reserves in oil, gas, and coal than any other country in the world. Here we are. The next is Russia. Next to that is Saudi Arabia. You can see that we have more than Saudi Arabia, China, and Iran all put together. That is us right there, the United States of America. We have those reserves.

You will hear people say we do not because we only have 3 percent of the

world's supply of oil and gas. They are saying that because they are using the term "proven reserves." In order to have proven reserves you have to drill to find out and prove the oil is there. Obviously, if we have a government, an administration that will not let us drill for oil and gas, then we cannot get about proving it, so we have to go by "recoverable." No one will argue with this—well, they might argue but they cannot do it with a straight face—that our recoverable reserves are very large. Here, in the case of oil, it is this amount right here—135 billion barrels of oil, 83 percent of the oil. By the way, 83 percent of the oil that would be on public lands that we will not allow ourselves—or the liberals in this body will not allow us, and the White House, to drill on because of not just a moratorium but they stopped us from doing it sometimes through not issuing permits.

But we have enough oil out there to run this country for 50 years without relying upon anybody else, without relying upon, certainly, the Middle East or any of the rest of our hemisphere.

If we were to go ahead with the friendlies in our hemisphere, Canada and Mexico, we could be independent of the Middle East in a very short period of time.

The United States has 28 percent of all of the coal, and that is very significant. As far as natural gas is concerned, we have enough natural gas to actually run this country for 90 years at the rate we are using natural gas now, only on our own, if we would allow ourselves to go ahead and produce it.

So that is where we are right now. Of course, I would be remiss if I did not say we have been wanting my amendment. It is amendment No. 183 to the Small Business Act. We have been trying to bring it up for 3 weeks now. Several times it has been postponed. I think it has been postponed for one of two reasons. Either they do not have the votes to stop it—and according to Senator MANCHIN, West Virginia, who stated just the other day there are 12 or 13 Democrats willing to vote for my amendment, and you get all the Republicans, that would be enough to reach 60 and pass my amendment.

What does my amendment do? It takes away the jurisdiction from the Environmental Protection Agency from regulating greenhouse gases. Simple as that. So maybe we have the votes, but the other reason is—and I do not blame the leadership on the other side of the aisle—they do not want to subject their Senators to voting, to have to cast a vote that would allow the EPA to continue harassing and overregulating manufacturers and refineries and businesses and farmers and the rest of America.

Well, there are two votes that are out there that they have offered as cover votes. One is the Baucus amendment; the other is the Rockefeller amendment. The Baucus amendment would

exempt some of the smaller ones. Frankly, I think everyone knows that is something that would not work. In fact, somewhere I have the quote from the American Farm Bureau. Well, I do not have it right here, but, by and large, what they say is that they want to be sure everyone understands we cannot pass the Baucus amendment because that will just—we could exempt some farmers and some other smaller people, schools, maybe churches; but with the higher price of energy, it all trickles down to them. So that is why the American Farm Bureau, the Association of Manufacturers, and others are very much in favor of my amendment.

The other one is the Rockefeller amendment that would merely delay it for 2 years. The reason I am opposed to this—and on the floor of the Senate, Senator ROCKEFELLER made some statements the other day that were not very flattering. That is unlike him because that is normally not the way he would do it. Unfortunately, my effort was dubbed as "childlike," "immature," and, yes, you guessed it, "crazy" too. But I will only say that over the years Senator ROCKEFELLER has stated that the EPA—well, I will just read to you what he has stated: EPA has little or no authority to address economic needs. They say they do, but they don't. They have no ability to incentivize and deploy new technologies. They have no obligation to protect the hard-working people. And on and on.

So I would agree with those statements of Senator ROCKEFELLER. I would just say, if we are going to get rid of this, the overregulation, let's go ahead and do it. Let's not postpone it for 2 years. We have documentation from various companies, industries that say we are going to put something in place that is going to employ a large number of people, but we cannot do it so long as the uncertainty is out there.

At Point Comfort in Texas, 1,182 jobs were lost. They wanted to—they were planning—Formosa Plastics—had been planning a \$1 billion expansion. It would have employed 700 construction jobs, 357 service jobs, and 125 full-time operations and maintenance jobs. Yet they are not doing it because of the regulation that is taking place and the uncertainty of what the EPA is going to be doing to us.

El Dorado, AR, similar situation. Arkansas-based Lion Oil was forced to delay several hundred million dollars in refinery expansion because of the uncertainty of the regulation by the Environmental Protection Agency. Louisiana, the same thing; 1,850 jobs were lost.

I have had people ask me over the years: Inhofe, what if you are wrong? Well, this is what I would say and how I respond to that. When you stop and say I am wrong and actually that greenhouse gases do cause catastrophic global warming, if that is the case, then you are not going to resolve it by

having the United States of America do something unilaterally.

The Chinese are over there celebrating right now, hoping we will pass something to stop us from regulating or make us regulate greenhouse gases because those jobs we have—we have all of the figures. If anyone is interested, my Web site is Inhofe.Senate.gov. We can quantify the jobs lost and money involved.

Stop and think about it. Anyone who has a comparable State to Oklahoma, do you want to increase your taxes by over \$3,000 a year and get nothing for it?

With that, I would make another appeal to the administration and to the Democrats in the Senate, to call a vote on my amendment No. 183. Just call it and let's get this behind us. Let's try to save energy for America.

I yield the floor.

The PRESIDING OFFICER (Mr. BLUMENTHAL.) The Senator from Arizona.

Mr. KYL. Mr. President, I want to compliment my colleague from Oklahoma for the leadership he has exercised with respect to the rogue Environmental Protection Agency attempting to regulate, in effect, what we breathe and the job-killing program that would result from the regulations that would be prohibited from being adopted were the Inhofe-McConnell amendment to be adopted by this body. I share his desire that we be able to vote on that and stop these onerous regulations from being put into effect.

I ask unanimous consent to speak not to exceed 15 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE

Mr. KYL. Mr. President, I want to address two things but start with health care. I recall that during the debate over health care—and we celebrated the 1-year anniversary of the signing of the health care legislation a little over a week ago. But I recall then-Speaker of the House NANCY PELOSI saying: We will have to pass the bill in order to find out what is in it. I do not think she realized how true her statement really was.

I just read something over the weekend from a March 31 edition of the Washington Examiner. I ask unanimous consent to have this article by Byron York printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1).

Mr. KYL. I will read the first sentence and then a couple of other items from it. The headline is "Uncovered: New \$2 billion bailout in Obamacare."

Here is the first sentence in the story:

Investigators for the House Energy and Commerce Committee have discovered that a little-known provision in the national health

care law has allowed the Federal Government to pay nearly \$2 billion to unions, state public employee systems, and big corporations to subsidize health coverage costs for early retirees.

Then the article goes on to point out that they discovered this in oversight hearings of an obscure agency known as the CCIO, or the Center for Consumer Information and Insurance Oversight. The idea under the law apparently was to subsidize unions and States and companies that had made commitments to provide health insurance for workers who retired early.

They point out that there was a \$5 billion appropriation in the bill, and at the rate of spending by this agency they will burn through the entire \$5 billion as early as 2012. And where is the money being sent to? Well, by far and away, the biggest single recipient is the United Auto Workers Labor Union, which so far had received well over \$200 million.

Other recipients include AT&T, Verizon, General Electric, General Motors Corporation, and a few State public employees retirement systems. But, by far and away, the contribution to the United Auto Workers and the Teamsters and United Food and Commercial Workers was more than the amount of money sent to the State pension funds—the point being that we learn something new almost every week about Obamacare.

As I said, it was just a little over a week ago that it celebrated its first anniversary, and we are only now discovering some of the things that were hidden away in it, which I think had we been able to debate the bill in a more appropriate fashion—remember, it passed on Christmas Eve day of the year before last—we probably would have been able to discover these things. Had the bill been read, had we had time to read all of the fine print, these are the kinds of things that we would have discovered; and I suspect the proponents of the bill, those who voted for it, might not have been so quick to vote for it.

Maybe we will have a chance to repeal this particular provision of the bill if there is any money left that has not been spent by the time we get around to doing that. I will propose to my colleagues that we try to accomplish that.

The second point with respect to Obamacare that continues to trouble me is something called the Independent Payment Advisory Board. This is troublesome for three reasons, two of which have to do with process and the third the substance. The Independent Payment Advisory Board goes by the acronym of IPAP, and it was created in order to try to find savings in the Medicare Program.

Now, obviously, we have read a lot about the billions, tens of billions of dollars of waste, fraud, and abuse in Medicare. The problem is, this board is not likely to get at that waste, fraud, and abuse because its primary mis-

sion—and, in fact, it is restricted to finding cost savings only as a result of reducing the payments to providers. In fact, James Capretta of the Ethics and Public Policy Center has done some very good writing on this subject, and he notes that the board is strictly limited to what it can recommend and implement and that the board can only “cut Medicare payment rates for those providing services to beneficiaries.”

Well, that is a problem because it does not get to the real heart of a lot of the waste, fraud, and abuse in Medicare. Secondly—and I will conclude my remarks with this main point—when we cut the payment rates for the doctors, for example, who are taking care of Medicare patients, what happens? We get fewer doctors willing to take care of Medicare patients.

We are all familiar with the stories in our own States of more and more physicians either not taking any Medicare patients or at least not taking any new Medicare patients. As a result, there are far fewer doctors available to treat folks, which means there is a much longer waiting time for people to get the care they need. The end result of that is, of course, care delayed is frequently care denied. That is the problem that exists in other countries such as Great Britain, our neighbor to the north, Canada, and it is coming to your own community pretty soon as a result of the fact that we are not paying the physicians and other providers enough as it is. That is the only thing that IPAP can do to further reduce the costs.

But I mentioned two procedural problems. The first is that this board is comprised of 15 unelected bureaucrats. The President makes the appointments. He does not have to balance them politically, so they can all be members of one political party. He can make recess appointments so the Senate may not even have an opportunity to pass on these individuals.

The second procedural problem is, when they make their recommendations it comes to the Congress in a take-it-or-leave-it procedural posture; that is to say, either Congress adopts the recommendations of the board or at a number equal to that, with what we decide ourselves is the appropriate way to achieve that amount, or the Department of Health and Human Services must implement the board's original recommendations, period. That is it.

So we are ceding authority to an unelected board of people whose political views could reflect, for example, only those of the President of the United States, and whose recommendations almost automatically become law. Only if the Congress, within a specified period of time, is able to recommend an alternative that can get the votes, and it would have to be a 60-vote majority, would the recommendations of the board be overridden.

So for procedural reasons this was not the right way to tackle the prob-

lem of costs of the Medicare Program that we do need to get a handle on. It is a very undemocratic approach. But as I said, the procedure is part of the problem. The real question is, how are we going to address costs in Medicare?

Now, we are going to see some very innovative ideas from the House of Representatives, from the Budget chairman, PAUL RYAN, this week when the House budget is released. He will tackle the tough problem of helping to constrain the costs of Medicare. One of the ways I find very unappealing to control Medicare costs is putting a cap on how much we can spend and reimbursing the providers, in particular physicians, with that particular cap in mind.

As I said, the reason is because it is going to cost physicians a certain amount of money to take care of each patient. If they cannot be reimbursed in an amount sufficient to cover their expenses and a little bit more, they are simply going to turn to other kinds of patients.

They have already turned away from Medicaid patients because Medicaid does not reimburse at a level that meets their requirements. As a result, it is a dirty little secret in the medical profession that Medicaid is rationed health care. That is not right. These are the poorest in our society. They need support. They need help. But they have to wait a long time. A lot of times, there just aren't the people to take care of them. Now we are going to convert the system that takes care of senior citizens into the same kind of whatever-we-have-available kind of service because when we begin reducing payments to providers, we will get fewer providers, with the result that we will get less care. It is a simple matter of economics.

This is being recommended not by physicians, not by the patients groups, and so on, but by people who are unelected bureaucrats appointed to this board. According to Mr. Capretta, under the law this is all the board can do. This is what it is restricted to doing. By cutting Medicare patients, the board will only delay and deny care. That is the critical point.

I am painting this picture of physicians not being paid enough. The reality is that today Medicare already pays physicians 20 percent less than private insurance companies do. Part of that is because private insurance companies are cost shifters. When a physician can't make enough money serving government-paid-for patients—Medicare—then they charge more to private sector-paid patients. We therefore are paying more in the private sector for our insurance than it really would cost, but that is in order to subsidize the payment of physicians who don't make enough under Medicare today. What the IPAB would do is reduce those payments even more. This, in turn, will lead to reduced access to care for seniors, and reduced access to care means rationed care.

I quoted James Capretta before. He says:

In a very real sense, seniors will be the ones holding the bag from these cuts when they can't access care due to a lack of willing suppliers.

I will close this point by noting that there is another government health care program I am very familiar with because of the large number of Native Americans in Arizona who have access to health care from the Federal Government under the Indian Health Service. In Indian Country, they have a saying that is not really facetious. They say it with a bit of a wry smile on their face, but they are not at all happy. They say: Just get sick before July. The reason is, there is a definite limit on how much the program will pay out. They set a cap at the beginning of the year, and when enough people have gotten sick enough to a certain point in the year, that is the end of the coverage. So they wait until money is available the next year.

That is an oversimplification, but it is what a total single-payer government system does. When we need to cut costs, we reduce the amount of money available. And who suffers? The people to whom we promised care. We see it in the Indian Health Service. We are seeing it now in Medicaid. We are going to see it in Medicare if we are not careful.

That is why we need to repeal the IPAB, the Independent Payment Advisory Board established under ObamaCare. There is legislation introduced to do this. Senator CORNYN and I cosponsored the Health Care Bureaucrats Elimination Act, S. 668, which would eliminate the IPAB. I hope we will have an opportunity to bring that legislation to the floor so that my colleagues can join us in excising this piece of ObamaCare so that our seniors don't suffer from rationed health care. There is a long group of organizations which joins us in our opposition to IPAB, groups such as the American Health Care Association, the American College of Radiology, National Senior Citizens Law Center, National Association of Social Workers, Volunteers of America, and others.

I hope that when the time comes, we will have an opportunity to have a debate about this aspect of ObamaCare. I know the supporters of the health care reform act did not intend this negative result. I am not suggesting that colleagues who supported ObamaCare love seniors any less than I love my mother, and they love their parents and others. That is not the point. Laws have unintended consequences. When we create a mechanism to save money such as this one and constrain it the way we have, I know what we will get, and we will not like it. We will hear from seniors. And before I hear from my mother, I would just as soon get this problem fixed.

EXHIBIT 1

[From the Examiner, Mar. 31, 2011]

UNCOVERED: NEW \$2 BILLION BAILOUT IN OBAMACARE

(By Byron York)

Investigators for the House Energy and Commerce Committee have discovered that a little-known provision in the national health care law has allowed the federal government to pay nearly \$2 billion to unions, state public employee systems, and big corporations to subsidize health coverage costs for early retirees. At the current rate of payment, the \$5 billion appropriated for the program could be exhausted well before it is set to expire.

The discovery came on the eve of an oversight hearing focused on the workings of an obscure agency known as CCIO—the Center for Consumer Information and Insurance Oversight. CCIO, which is part of the Department of Health and Human Services, oversees the implementation of Section 1102 of the Affordable Care Act, which created something called the Early Retiree Reinsurance Program. The legislation called for the program to spend a total of \$5 billion, beginning in June 2010—shortly after ObamaCare was passed—and ending on January 1, 2014, as the system of national health care exchanges was scheduled to go into effect.

The idea was to subsidize unions, states, and companies that had made commitments to provide health insurance for workers who retired early—between the ages of 55 and 64, before they were eligible for Medicare. According to a new report prepared by the Department of Health and Human Services, “People in the early retiree age group . . . often face difficulties obtaining insurance in the individual market because of age or chronic conditions that make coverage unaffordable or inaccessible.” As a result, fewer and fewer organizations have been offering coverage to early retirees; the Early Retiree Reinsurance Program was designed to subsidize such coverage until the creation of ObamaCare's health-care exchanges.

The program began making payouts on June 1, 2010. Between that date and the end of 2010, it paid out about \$535 million dollars. But according to the new report, the rate of spending has since increased dramatically, to about \$1.3 billion just for the first two and a half months of this year. At that rate, it could burn through the entire \$5 billion appropriation as early as 2012.

Where is the money going? According to the new report, the biggest single recipient of an early-retiree bailout is the United Auto Workers, which has so far received \$206,798,086. Other big recipients include AT&T, which received \$140,022,949, and Verizon, which received \$91,702,538. General Electric, in the news recently for not paying any U.S. taxes last year, received \$36,607,818. General Motors, recipient of a massive government bailout, received \$19,002,669.

The program also paid large sums of money to state governments. The Public Employees Retirement System of Ohio received \$70,557,764; the Teacher Retirement System of Texas received \$68,074,118; the California Public Employees Retirement System, or CalPERS, received \$57,834,267; the Georgia Department of Community Health received \$57,936,127; and the state of New York received \$47,869,044. Other states received lesser but still substantial sums.

But payments to individual states were dwarfed by the payout to the auto workers union, which received more than the states of New York, California, and Texas combined. Other unions also received government funds, including the United Food and Commercial Workers, the United Mine Workers, and the Teamsters.

Republican investigators count the early-retiree program among those that would

never have become law had Democrats allowed more scrutiny of ObamaCare at the time it was pushed through the House and Senate. Since then, Republicans have kept an eye on the program but were not able to pry any information out of the administration until after the GOP won control of the House last November. Now, finally, they are learning what's going on.

BUDGET GAME-CHANGER

Mr. KYL. Mr. President, finally, I wish to have printed in the RECORD and discuss briefly an op-ed in the Wall Street Journal of today titled “Time for a Budget Game-Changer.” This was written by Gary Becker, George P. Shultz, and John Taylor. John Taylor and Gary Becker are both economist professors, Becker at the University of Chicago, Taylor at Stanford. Of course, George Shultz is a former Secretary of Labor, Secretary of the Treasury, and Secretary of State. All three are affiliated with the Hoover Institution. In this article, they present a real answer to the two key problems that face us today.

I ask unanimous consent that this piece be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KYL. The two key problems are that we don't have enough jobs and we have a very high unemployment rate. We need to get the economy growing, and we are having to borrow far too much money because of government spending. What this piece points out is that there is a direct relationship between the two. That is not too surprising. The bottom line is that government borrowing and spending distorts the market by making less money available for the private sector to invest. If the private sector can invest, jobs can be created and we can grow the economy.

What they do in this piece is create a credible strategy to reduce the growth of Federal government spending, bring the deficit down, and increase economic growth. Those goals are not only not inimical to each other, they actually fit together nicely.

As they point out, the essential first step is to reduce discretionary spending in the current fiscal year, 2011. That is the work the Senate and House are engaged in right now. We will have to pass a continuing resolution to fund the government through the end of September. We can substantially reduce the spending, and they point out how in this op-ed.

The second part is a longer term plan to get total spending as a share of GDP down. They have a plan to do that in a relatively gradual way but that nevertheless provides real, substantial savings over the next 10 years and longer to a point that is consistent with the historical relationship between the revenues the government has collected and the spending the government makes.

Let me quote the first three sentences of their op-ed:

Wanted: A strategy for economic growth, full employment, and deficit reduction—all without inflation. Experience shows how to get there. Credible actions that reduce the rapid growth of federal spending and debt will raise economic growth and lower the unemployment rate. Higher private investment, not more government purchases, is the surest way to increase prosperity.

They go on to point out:

When private investment is high, unemployment is low. In contrast, higher government spending is not associated with lower unemployment.

It is a piece I recommend to all of my colleagues because it establishes—and these are first-rate economists who have done the research and can demonstrate beyond peradventure the direct relationship between reduced government spending and more employment and growth. The bottom line is, if we leave more money in the private sector to be invested by businesses in the private sector, the more they will invest and hire people, and the more the economy will grow. Ironically, the more the economy grows, the more revenues the Federal Government gets because we have more taxes and a higher tax basis.

Private economic growth is good for families and businesses and people seeking jobs as well as for the Federal Government if we are looking for more revenue. The wrong answer is to spend more money in the government, 40-plus cents of which has to be borrowed. Every dollar we spend we have to borrow 40 cents of, half of which is borrowed from countries abroad. That borrowing and spending crowds out opportunities in the private market to do the same.

So there is a direct relationship in terms of how much we can reduce Federal spending on the one hand and how much we can grow the economy on the other. That is what these economists point out—the way for us both in the short term and the longer term to get a handle on both the Federal budget deficit and induce the private sector to invest more, thus reducing unemployment and increasing our economic growth.

I thank the Chair.

EXHIBIT 1

[From the Wall Street Journal, Apr. 4, 2011]

TIME FOR A BUDGET GAME-CHANGER

(By Gary S. Becker, George P. Shultz and John B. Taylor)

Wanted: A strategy for economic growth, full employment, and deficit reduction—all without inflation. Experience shows how to get there. Credible actions that reduce the rapid growth of federal spending and debt will raise economic growth and lower the unemployment rate. Higher private investment, not more government purchases, is the surest way to increase prosperity.

When private investment is high, unemployment is low. In 2006, investment—business fixed investment plus residential investment—as a share of GDP was high, at 17%, and unemployment was low, at 5%. By 2010 private investment as a share of GDP was down to 12%, and unemployment was up to

more than 9%. In the year 2000, investment as a share of GDP was 17% while unemployment averaged around 4%. This is a regular pattern.

In contrast, higher government spending is not associated with lower unemployment. For example, when government purchases of goods and services came down as a share of GDP in the 1990s, unemployment didn't rise. In fact it fell, and the higher level of government purchases as a share of GDP since 2000 has clearly not been associated with lower unemployment.

To the extent that government spending crowds out job-creating private investment, it can actually worsen unemployment. Indeed, extensive government efforts to stimulate the economy and reduce joblessness by spending more have failed to reduce joblessness.

Above all, the federal government needs a credible and transparent budget strategy. It's time for a game-changer—a budget action that will stop the recent discretionary spending binge before it gets entrenched in government agencies.

Second, we need to lay out a path for total federal government spending growth for next year and later years that will gradually bring spending into balance with the amount of tax revenues generated in later years by the current tax system. Assurance that the current tax system will remain in place—pending genuine reform in corporate and personal income taxes—will be an immediate stimulus.

All this must be accompanied by an accurate and simple explanation of how the strategy will increase economic growth, an explanation that will counteract scare stories and also allow people outside of government to start making plans, including business plans, to invest and hire. In this respect the budget strategy should be seen in the context of a larger pro-growth, pro-employment government reform strategy.

We can see such a sensible budget strategy starting to emerge. The first step of the strategy is largely being addressed by the House budget plan for 2011, or HR1. Though voted down in its entirety by the Senate, it is now being split up into “continuing” resolutions that add up to the same spending levels.

To see how HR1 works, note that discretionary appropriations other than for defense and homeland security were \$460.1 billion in 2010, a sharp 22% increase over the \$378.4 billion a mere three years ago. HR1 reverses this bulge by bringing these appropriations to \$394.5 billion, which is 4% higher than in 2008. Spending growth is greatly reduced under HR1, but it is still enough to cover inflation over those three years.

There is no reason why government agencies—from Treasury and Commerce to the Executive Office of the President—cannot get by with the same amount of funding they had in 2008 plus increases for inflation. Anything less than HR1 would not represent a credible first step. Changes in budget authority convert to government outlays slowly. According to the Congressional Budget Office, outlays will only be \$19 billion less in 2011 with HR1, meaning it would take spending to 24% of GDP in 2011 from 24.1% today.

If HR1 is the first step of the strategy, then the second step could come in the form of the budget resolution for 2012 also coming out of the House. We do not know what this will look like, but it is likely to entail a gradual reduction in spending as a share of GDP that would, in a reasonable number of years, lead to a balanced budget without tax rate increases.

To make the path credible, the budget resolution should include instructions to the appropriations subcommittees elaborating

changes in government programs that will make the spending goals a reality. These instructions must include a requirement for reforms of the Social Security and health-care systems.

Health-care reform is particularly difficult politically, although absolutely necessary to get long-term government spending under control. This is not the place to go into various ways to make the health-care delivery system cheaper and at the same time much more effective in promoting health. However, it is absolutely essential to make wholesale changes in ObamaCare, and many of its approaches to health reform.

The nearby chart shows an example of a path that brings total federal outlays relative to GDP back to the level of 2007—19.5%. One line shows outlays as a share of GDP under the CEO baseline released on March 18. The other shows the spending path starting with HR1 in 2011. With HR1 federal outlays grow at 2.7% per year from 2010 to 2021 in nominal terms, while nominal GDP is expected to grow by 4.6% per year.

Faster GDP growth will bring a balanced budget more quickly by increasing the growth of tax revenues. Critics will argue that such a budget plan will decrease economic growth and job creation. Some, such as economists at Goldman Sachs and Moody's, have already said that HR1 will lower economic growth by as much as 2% this quarter and the next and cost hundreds of thousands of jobs. But this is highly implausible given the small size of the change in outlays in 2011 under HR1, as shown in the chart. The change in spending is not abrupt, as they claim, but quite gradual.

Those who predict that a gradual and credible plan to lower spending growth will reduce job creation disregard the private investment benefits that come from reducing the threats of higher taxes, higher interest rates and a fiscal crisis. This is the same thinking used to claim that the stimulus package worked. These economic models failed in the 1970s, failed in 2008, and they are still failing.

Control of federal spending and a strategy for ending the deficit will provide assurance that tax rates will not rise—pending tax reform—and that uncontrolled deficits will not recur. This assurance must be the foundation of strategy for a healthy economy.

Mr. KYL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COATS. 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. COATS. Mr. President, my understanding is that we are in morning business and I have 10 minutes allocated to me. I may not take that much time.

1099 REPEAL

Mr. COATS. Mr. President, I am here to essentially support the hard work of a colleague, Senator JOHANNIS, in bringing to the floor tomorrow a vote to repeal the 1099 provisions in the current health care bill.

As I campaigned throughout the State of Indiana over this past year, meeting with businesspeople and individuals running shops in a small town

and large businesses on the outskirts of busy manufacturing centers, several themes were repeated over and over and over. One was that we continue to have problems in creating jobs because of the massive amount of regulations that are flowing out of Washington that, at a time of fiscal downturn in particular, are keeping our businesses from going forward and hiring people, being competitive. We spend time in the back room with paperwork, filling out what seems to be unnecessary burdens imposed upon us by regulatory agencies.

Some of these regulations are necessary. We all know that for purposes of health and safety, there are regulations that are important in keeping companies' feet to the fire in terms of making sure their workplace is a safe and healthy place to work. These are important, and there are others. But clearly there is an excess. What I heard people saying all across the State of Indiana was that our government has grown too big, it spends too much money and it overregulates. In particular, when it comes to business, that overregulation and overtaxation is impeding our ability to compete on a worldwide basis to provide the kinds of jobs and services America is used to providing in such a successful way.

Tomorrow, this vote will deal with an aspect of the health care bill that was passed in the last Congress. Tucked away in that health care bill is a provision requiring every company, every church, every charity to submit a separate IRS 1099 form for taxes detailing and describing the goods they purchase in order to run their church, run their hospital, run their business, run their charity.

I have talked to hospitals—small and rural, big and large—across the State of Indiana, and they say: Do you realize how many separate items we purchase every year of over \$600? Do you understand how many hundreds, if not thousands, of prescription drugs we purchase in order to have them available here to perform our services in this hospital, how many band-aids, how many cotton patches, how many sophisticated drugs?

Hundreds of thousands of items are purchased by large companies every year, and each one of those now has to be calculated as to whether the purchase price was more than \$600 for the lot they buy, and it has to be detailed and then sent to Washington. There are not enough bureaucrats in Washington to begin to process the paperwork that would flood into this city. There are not enough buildings in this city to house those bureaucrats processing those forms. There are not enough warehouses in this city to store the forms that would flow in here. All for what reason? Because supposedly this is a way to collect more taxes on companies that have not submitted forms where they have actually purchased this particular material, even though they are required under the tax laws to

honestly—and I believe it is almost unanimous; maybe 99 percent of the time—do just that. So it is a solution without a problem.

Clearly, what Senator JOHANNIS has been attempting to do over the past several months and even in the last Congress is bring forward a bill that would repeal this onerous provision of the health care law.

The U.S. Chamber of Commerce said this about the 1099 reporting requirement:

At a time when they can least afford it, entities will have to institute new complex record-keeping, data collection and reporting requirements to track every purchase by vendor and payment method. This provision will dramatically increase accounting costs and could expose businesses to costly and unjustified audits by the IRS.

Even the IRS Information Reporting Program Advisory Committee has ruled against this, deeming this mandate "burdensome" with "no measurable purpose."

Forcing businesses to spend time in the back room to fill out all these forms and do all this record keeping—and particularly those small businesses that do not have the back room, where the owner and the proprietor of the business is the one who has to fill out these forms instead of being out there selling his services or running his business—they are particularly burdened by this unnecessary regulation.

Clearly, if we want to promote our businesses, help them hire more people, and get more people back to work, we have to release them from the burden of unnecessary regulation and, I would also add to that, taxation. So tomorrow, when this vote comes up, let's adopt the Johannis amendment to repeal this unnecessary and costly provision and send it to the White House for the President's signature.

While we are at it, let's also continue to take a look at the health care bill because if this provision somehow survived scrutiny before passage, there must be many more of these in there. Let me just mention one of them that directly impacts my State.

Medical device companies are a key industry in the State of Indiana. In fact, we are one of the leading States, if not the leading State in the country, for the number of people engaged in producing medical devices. That industry was slapped with a 2.3-percent sales tax on medical devices under the new health care law simply as a means to pay for the new health care law.

This is an innovative industry, an industry which is at the cutting edge of technology, one of our best exporting industries. They sell all over the world. We talk about the loss of American capacity to manufacture. We have a skilled workforce in place, with thousands of people employed throughout the State of Indiana, with several hundred companies producing medical devices. They have developed the innovation and the skill to be the best in the world. Yet, just out of the blue, be-

cause we are looking for a pay-for in the health care bill—that had nothing to do with their production of that product or their business—they were slapped with this \$20 billion impact tax, a 2.3-percent sales tax, which turns out to be about \$20 billion under the health care law.

I have given these statistics for just the one State of Indiana. I know Minnesota and a number of other States also are engaged in the medical device business. But singling out, though, the medical device manufacturers to help pay for the massive costs of the health care law, hinders job growth and stifles innovation. This is a resource-rich, research-rich industry in America that needs to be encouraged, not discouraged, that needs to have incentives to go forward, not disincentives, that does not need more regulation and higher taxes but needs to be viewed as producing a product that is the best in the world and what the world wants to buy.

So as we look at the health care bill, I am sure there are many provisions that need to be addressed. I, of course, am on record for repealing and starting over for reasons I have stated before and will not go into now. I think it is fatally flawed. I think starting over would give us a far more cost-effective, incremental improvement in ways to address our health care needs in this country without breaking the bank.

Nevertheless, if we cannot do that, we need to keep looking at situations such as what we are going to be addressing tomorrow, the 1099 repeal, and situations such as I have just described with the medical device tax.

Mr. President, with that, I will close by urging my colleagues to come and vote for the repeal of the 1099 provision that has been brought forward by Senator JOHANNIS.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NCAA TOURNAMENT

Mr. COATS. Mr. President, maybe this should have occurred to me before I last spoke and I should have addressed this. But since no one else is on the floor seeking to be recognized, it occurred to me that the Presiding Officer of the Senate represents the State of Connecticut, and I represent the State of Indiana. The two of us are the only ones on the floor of the Senate at this particular time. The Presiding Officer and I have an event that is very much going to draw our attention this evening; that is, the final game of the NCAA basketball tournament, Connecticut versus Butler.

I can extoll the virtues of Butler for a long time. I can also take some advantage of the Presiding Officer because he is in the chair and can't reply,

but I will not do that. I am just here to say we have a friendly bet on for this. I have some good Indiana-produced goodies coming the way of the Presiding Officer, should Connecticut prevail, and I think the Presiding Officer has some good Connecticut-produced goodies coming my way—by goodies I mean popcorn and a can of beans or whatever our States are famous for producing. I don't want anybody getting the wrong impression of what we possibly are exchanging.

Butler has been a dream and a joy for those of us from Indiana and, hopefully, from across the country, to watch this small school of 4,400 students in Indianapolis that produced a team that comes out of a midmajor conference. These schools perhaps aren't familiar to very many people, but yet they have knocked off the giants, with one more giant, I might say, to face this evening. But this little Midwestern school plays basketball the Hoosier way. They are a credible collection of players who were not recruited by the big schools but came together and worked together as a team under the inspired leadership of their young coach. They have now found themselves as NCAA finalists 2 years in a row, I think something no one would have predicted, particularly after they lost their star player last year who left the school a year early to go to the NBA.

My best wishes to the Presiding Officer for his team. As much as I give you those best wishes, I am looking forward tomorrow to receiving your part of the bargain delivered to my office, but if not, I will be standing at your front door. It is already assembled just in case. But we are rooting for a great game tonight. I think probably one of the most exciting events that happens in sports is the amateur basketball tournament that is played in by our NCAA colleges. It is a joy to watch these young men.

Then, tomorrow, I might mention, the Notre Dame women's team will be playing in the finals against Texas A&M. So Indiana is certainly putting forth some of its best during these next two nights. I am looking forward to seeing those games tonight. Our hopes are that we will not be in session this evening in the Senate. I don't think we will be. So you and I will be, unfortunately, not in Houston but in front of a big screen TV cheering on our teams.

With that, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BUDGET DEBATE

Mr. SESSIONS. Mr. President, we are in the middle of the budget debate and,

as the Ranking Republican on the Budget Committee, it is something which is very important to me, and, I believe, to America.

There are two aspects of it. One is, how will we finish this fiscal year that ends September 30? The House Republicans have sent over legislation that funds the government, but it is \$61 billion less than was expected or had been projected under last year's budget. I don't think anyone would be surprised, after the last election and the big spenders took a pretty big hit, that there would be a reduction after the continuing resolution of, I guess, 5 months expired. Since that expired a few weeks ago and we have had some short-term continuing resolutions, we have reduced spending by about \$10 billion. I truly believe we need to move it on down to a full \$61 billion and, over 10 years, that will reduce the baseline by \$61 billion and, fairly computed, it will save, over a 10-year timeframe alone, \$860 billion. That is close to \$1 trillion. It is real money. It is a significant step we should take. I hope this Congress will take it.

The next matter that is before us is, what about next year's budget? We should already be in that cycle. The President has submitted the budget he is required by law to submit to the Congress. It does nothing about the threat to our country economically and financially. It is a great disappointment, the most irresponsible budget ever submitted, I am confident, by any President in the history of the American Republic. I have said that before, and I truly believe it. It is irresponsible. We cannot adopt it, we will not adopt it, and it will not become law. But our Senate has indicated they are prepared to consider—Democrats, too—a better budget, perhaps, but we haven't seen it. It has not been brought forth to the Budget Committee, as the law requires us to do, so far, and we are behind schedule. But the House tomorrow will consider a historic budget that honestly and carefully confronts the challenges facing us, long term and short term, dealing with entitlements, without gimmicks, and allows us to begin to focus on what the challenges are and why we have to take these steps.

Because who wants to talk about cutting spending? What politician likes to do that? It is not something we like to do. Why are we talking about this? Why? Can't it be put off? Is it just political squabbling between Republicans and Democrats? They are always bickering. Is this what it is all about? Is there anything real here? Do we have a problem that can't be avoided? Is it something—can't we just continue like we are? Why do we have to worry about more reductions in spending?

That is the question: Do we have a real crisis? Are we facing a threat to our economic well-being that could throw this country into another recession, maybe even a depression—surely, hopefully, not—a fiscal, financial crisis; is that possible?

Let's talk about a couple things. Admiral Mullen, the Chairman of the Joint Chiefs of Staff, recently stated that our national debt is the greatest threat to our national security. That is a pretty strong statement. Secretary of State Clinton said something very similar. Is that true? The American people pretty clearly agree with Admiral Mullen by a huge margin. They say we are on the wrong track. You are mismanaging Washington. There was a shellacking of the big spenders in the last election. People know we are spending too much money. We have had a 24-percent increase in spending since President Obama has been President—a 24-percent increase in discretionary nondefense spending. Inflation has been 1 or 2 percent during this time, and we had a 24-percent increase.

Next year's budget by the President calls for an 11-percent increase in education, a 10.5-percent increase in the State Department, a 9.5-percent increase in the Energy Department, and a 61-percent increase in transportation and high-speed rail. What? The inflation rate is 2 percent and we have 5 times—or 50 times, nearly, that amount in spending increases?

Alarming, it is not just the American people or just the tea party, great American people who are concerned about their country. It is not just tea party members who are expressing concern and calling for action. It is the Nation's top financial experts. This is what is important. They are calling for action sooner rather than later.

Ersine Bowles, President Obama's choice to head the deficit commission, who was also President Clinton's Chief of Staff and is a very successful businessman himself—he was chosen by President Obama to head the debt commission, along with Alan Simpson, a former Republican Senator. In a written statement they submitted to the Budget Committee just 2 weeks ago, this is what they said. This is a formal written statement from the debt commission cochairman to the Budget Committee of the Senate:

This is the most predictable financial crisis this Nation has ever faced.

Predictable crisis. In other words, we can see it coming. They spent months doing research. They heard from all kinds of witnesses. When asked when the crisis might occur, which could involve some sort of double-dip recession or even a longer recession or higher unemployment, Mr. Bowles said it could be 2 years, maybe sooner, maybe later. Alan Simpson said it could be within a year. These are stark warnings, and the same message is coming from a host of the world's top financial experts.

I have to say the good news is our country has a strong work ethic and an entrepreneurial spirit still exists. The indications are that despite the economic drag and our huge debt burden, the economy—far slower than normal recovering from this recession—is

struggling to rebound. If we act decisively now to end our wasteful spending habits, we can be confident that progress in growth will continue.

When our Nation's leaders are aware that their country is facing a crisis, they have no higher moral responsibility than to act to protect the Nation from that danger. Today's Wall Street Journal has an op-ed by the Nobel Prize laureate, Gary Becker; a former Secretary of the Treasury, George Shultz; and an economic professor, John Taylor. The article embraces the \$61 billion in reduced spending passed by the House and debunks the critics unequivocally who call these cuts extreme. They directly and categorically rebut the assertion that these spending reductions will result in higher job losses and explain why that is a false view.

Again, is the debate over spending just another Republican and Democratic squabble? Is it just an attempt to gain political advantage? Sound and fury signifying nothing?

The answer is a resounding no. We are spending money we don't have in amounts dramatically greater than at any time in our history. When this fiscal year ends September 30, we will have spent \$3.7 trillion and taken in only \$2.2 trillion. Forty cents of every dollar we spend this year will be borrowed. We have to borrow the money we don't have. This will be the largest of three consecutive deficits exceeding \$1 trillion.

President Bush was rightly condemned for his \$450 billion deficit 1 year—the highest he ever had. We have been over \$1 trillion in the last 3 years. Next year's budget deficit is expected to exceed \$1 trillion.

This money must be borrowed and interest paid. Nothing comes from nothing. Last year, the Nation's total interest payment was \$200 billion. That is how much we paid on the money we borrowed. For perspective, the Federal highway program—and Senator INHOFE knows about this—is about \$40 billion, and we spent \$200 billion on the interest. We would like to have spent more on highways. Federal education programs cost about \$70 billion. So already the interest on our debt is the fastest growing expense of our government, and it is crowding out spending for other programs.

But hold your hat. Our current trajectory takes us at increasing speed on a "road," as the former head of the European Union said, "to financial hell." He said that about the United States.

According to the official score or analysis of the President's 10-year budget, the total debt of America will more than double, from \$13 trillion to \$27 trillion, over the 10-year period, and our annual interest will increase from \$200 billion last year to \$940 billion. That is how much interest we will be paying the tenth year under the budget. It will cost more than education, highways, energy, and the State Department combined.

Indeed, our interest payment will surge past defense, Medicare, and Medicaid. That is why expert after expert, witness after witness, Republicans and Democrats, say the United States is on an "unsustainable path." Yet President Obama's budget increases all spending every year, including discretionary spending, doubling the debt of the United States again, all the while raising taxes by almost \$2 trillion. He makes no proposals to put Medicare, Medicaid, and Social Security on sound footing—nothing. It creates a debt path where his lowest annual deficit in 10 years is \$748 billion—that is the best year—with his outyear deficits increasing, so that by the tenth year his budget is scored as having a deficit of \$1.2 trillion. Is that unsustainable or not?

Is it extreme to say we have to change that course, that we can't continue it? Well, let me quote a few experts—not just JEFF SESSIONS, the Senator from Alabama. How about some people whose lives have been enmeshed in the debt of America? They seem to share the concerns, it seems to me, of the "extremists"—the tea party people. What do the experts say? How about Alan Greenspan, former Chairman of the Federal Reserve? This is what he said:

I think that the type of budget agreement that was put together by Alan Simpson and Erskine Bowles is the type of budget that will be passed by Congress.

It doesn't look like that is so, unfortunately. He goes on to say:

The only question is, will it be before or after the bond market crisis?

Is Alan Greenspan an extremist? He said, also, a few weeks ago that we could have a debt crisis in our country in 2 to 3 years.

Bill Gross, who heads the world's largest bond fund at Pacific Management, eliminated government-related debt from his flagship fund. They no longer have any U.S. Treasury bonds. This is what he wrote recently:

If the USA were a corporation, then it would probably have a negative net worth of \$35-\$40 trillion once our "assets" were properly accounted for. . . . No lender would lend to such a corporation.

Is Bill Gross extreme?

Erskine Bowles and Alan Simpson said:

We believe that if we do not take decisive action, our Nation faces the most predictable economic crisis in its history.

Mr. Bowles, before the Budget Committee, March 8, was asked how and when that might happen by Senator CONRAD, our chairman. He said:

The problem is going to happen. It is a problem we are going to have to face up to in maybe 2 years, maybe a little less, maybe a little more.

Simpson said this:

I think it [the crisis] could come before 2 years.

Timothy Geithner, Secretary of the Treasury, when asked about the Reinhart-Rogoff study—which said when debt reaches 90 percent of GDP, the economy of a nation slows down

noticeably—and I believe Rogoff and Reinhart will be testifying before the committee tomorrow. When asked about their analysis, that 90 percent—your debt equals 90 percent of your gross domestic product, your economy is slowed and it pulls down; and we are already at 95 percent, heading to 100 percent by September 30—Mr. Geithner said it was an excellent study. He didn't say this is an extreme study. He said this:

In some ways . . . it understates the risks, because it is not just that countries that live with very high debt-to-GDP ratios are consigned to weaker growth; they are consigned to the damage that comes from periodic financial crises as well.

Is Secretary Geithner extreme? Is Admiral Mullen extreme? Senator CONRAD, our chairman, is very concerned about the trajectory we are on. On March 15, at a Budget Committee hearing, this is what he said:

I believe our Nation is in peril. We are hurtling toward a fiscal cliff. . . . We are clearly on an unsustainable course.

Pete Domenici, who was part of the Rivlin-Domenici debt commission, which was similar to Bowles-Simpson, and was also the former chairman of the Budget Committee in the Senate, said this:

I have never been more worried for my country.

Are Senator CONRAD and Senator Domenici extreme? I think not.

Only three bodies can propose spending plans. The White House budget has been submitted. It would double our debt, surge our interest burden, increase spending at every level, and raise taxes substantially. Tomorrow we will have the House plan. It will be released by Budget Chairman RYAN. It is the most serious attempt ever made to solve America's spending and debt problems while saving critical programs, such as Medicare—saving those programs. They are beginning to default now.

What does the Senate plan to do, the Democratic Senate? Doing nothing seems to be the plan. We have not seen a budget proposal and haven't had a hearing set for the markup of a budget proposal. I doubt that the President's plan will be brought forward in its present form because it would receive not many Democratic votes and, I suspect, no Republican votes. I don't know.

The Senate has to do something. We have to propose a budget and be engaged in the process. We can't stick our heads in the sand. We cannot be in denial. Is the President going to change? Is he going to all of a sudden take responsibility for the fact that we may be heading to a fiscal crisis that could surge unemployment, surge interest rates, and place this Nation in financial risk? We have not seen it yet.

If he does not act, what will our Senate Democratic colleagues do? I call on them to step up and represent their constituents, to do the right thing. We have to do the right thing. We cannot continue on this course.

In my view, American leaders have no higher duty, no greater moral responsibility than to take all the appropriate steps to protect the good people we serve from a clear and present danger—a danger that has been detailed to us with clarity and repetition by some of America's finest leaders.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first, let me say how refreshing it is to hear the Senator from Alabama, as scary as it is, to tell the truth about the problem we have. When I tell people back in my State of Oklahoma—I refresh their memories. I remember in 1996 standing at this podium—right here—when the Clinton budget came out for fiscal year 1996. It was a \$1.5 trillion budget. I said a \$1.5 trillion budget is impossible to sustain. And yet the budget the Senator from Alabama was talking about was the budget of this President—and, of course, with a majority in the House and the Senate—that actually has a deficit that is greater than the entire budgets around the entire United States of America in 1996. That is the deficit. That is what my 20 kids and grandkids are going to have to pay for.

When you use statements that are real and cannot be denied—and that is, that this President in the 2 years he has been here has increased the debt more than all the Presidents before him, from George Washington to George W. Bush—it is not believable. That is what makes it so difficult because people think: How can this possibly be? And yet, it is. That is the reality.

COTE D'IVOIRE

Mr. INHOFE. Mr. President, a few minutes ago, I talked at some length about a very significant amendment that is going to be coming up, and that is to take jurisdiction away from the Environmental Protection Agency having to do with cap and trade, something they were unable to do legislatively and they are going to try to do through regulations at the Environmental Protection Agency. I already talked about that issue.

There is something that has not been mentioned on the floor of the Senate that I think is significant. Surprisingly enough, hardly anyone is even aware that it is going on. We are all concerned. We hear every day about the atrocities that are committed in Libya and about the people who are being mowed down. What they do not realize is that is not the only place that is going on.

I have to share, as much as I hate to do it because I am disagreeing with our State Department when I say this, but I have to say it because somebody has to say it. Right now, the potential of having large numbers of people tortured and murdered in Cote d'Ivoire is taking place. Let me set the stage so people will be aware of it.

I have had occasion to be in Cote d'Ivoire—some people call it the Ivory Coast—in west Africa. It is an area where a lot of the slave trade came from to this country. It is a place that has been led by a President named Laurent Gbagbo for the last 10 years. I first became acquainted with the country before he was President of Cote d'Ivoire. In fact, his wife Simone—she is now his wife; she was not his wife at that time—was a member of Parliament. I sat through what happened in 2002 when there was a real effort primarily by one individual—his name is Alassane Ouattara from the northern part of Cote d'Ivoire—charging against him. It is kind of interesting because Cote d'Ivoire is one country, but in the north, they have primarily the Muslim area and in the south and east primarily the Christian element. There has been a real effort for quite some time for the chosen one up there, who is Alassane Ouattara, to defeat President Gbagbo.

Here is the problem. There is an election that took place a few months ago. It appeared that Ouattara actually beat the incumbent President, President Gbagbo. We were all concerned about whether this was a straight election. I am going to tell you in a couple of minutes why it was not but also try to call this to the attention of the administration.

In January after the election took place, I wrote a letter to Secretary Clinton, and I said: I wish to have you reevaluate—I am going to have that letter at the conclusion of my remarks printed in the RECORD—to look at this and evaluate this as to what actually went on in that election and how it was rigged.

Ouattara tried to deny involvement in a mass slaughter that took place a couple days ago. That was in a town called Duekoue. Duekoue is in the southern part, an area that is very strongly in favor of President Gbagbo. Somewhere between 300 and 1,000 people in that western town of Duekoue were slaughtered with guns and machetes.

Mr. Ouattara and his people tried to deny their involvement in the mass slaughter, but his forces took the town days earlier and the Gbagbo forces were not even near the town. They left a week before this happened. Do not believe me, but the Guardian, which is a British newspaper, reported last night—I am going to quote from the newspaper:

The U.N. mission said traditional hunters, known as Dozos, fought alongside Ouattara's forces and took part in killing 330 people in the western town of Duekoue. The International Committee of the Red Cross said at least 800 people were killed in intercommunal violence in Duekoue last week.

What we do not know is that 800 plus the 330, so roughly it is 1,000.

Guillaume Ngefa, deputy head of the human rights division of the UN mission in Ivory Coast, blamed 220 of the deaths on the pro-Ouattara forces.

The full article goes into a lot of detail.

Also, a BBC reporter at Duekoue wrote in the last 24 hours:

I spot four pigs eating something dark in a charred courtyard. Standing by a newly dug mass grave, a U.N. soldier from Morocco is choking with rage and grief. I ask him if any of the dead are children. He nods and begins to sob, quietly, into his facemask.

I repeat, the massacre was not caused by the Gbagbo forces but by the Ouattara forces who had taken over the town. President Gbagbo has called for a cease-fire repeatedly. I repeat that. He has called for a cease-fire but the Ouattara forces have rejected it. Why?

This massacre could have been avoided if Ouattara had accepted mediation through the African Union. On March 27, the African Union sent former Cape Verde Foreign Minister Jose Brito to mediate between Ouattara and Gbagbo. Gbagbo accepted the mediation. Ouattara did not.

I have been following the events closely in Cote d'Ivoire since last fall, and after having spoken with various African dignitaries, I am convinced there is a serious question as to whether Ouattara is the legitimately elected President of Cote d'Ivoire.

I have received substantial evidence of massive voter fraud in the rebel-held north of Cote d'Ivoire. That is the area from which Ouattara comes. I have sent the evidence to Secretary Clinton on two occasions spanning the last few months. One letter is where we actually have the evidence of the number of votes that were stolen. In one letter I pointed out—the last letter, which I will have printed in the RECORD—the evidence which shows that Ouattara received 94,873 votes that were listed on a tally sheet for one of the five regions in the rebel-held north. Times this by four, and it comes very close to the margin of votes that allegedly President Gbagbo lost. That is 400,000 votes.

If, indeed, a similar amount of voter fraud exists in these regions, Gbagbo is the actual winner of the November 28 Presidential election. That is too complicated. Look at it this way: In those five regions—they do not call them precincts; some of the small ones they call precincts, so it is a little confusing. In the first letter I sent, I commented that Gbagbo, in what we would call a primary, had won thousands of votes in each one of those five precincts up north. However, in the primary runoff, he got zero. I suggest to you that is a statistical impossibility. You cannot get zero after you had thousands of votes.

In my letter to Secretary Clinton, I called for the United States to support new elections there, but thus far those efforts have received an inadequate response. Based on the news Ouattara has murdered some 1,000 people in Duekoue, I hope the United States will reconsider its position and call for a new election.

This Wednesday, April 6, will mark the 17th anniversary of the 1994 Rwanda genocide. I went back for the anniversary of that genocide. I have been

there many times before. We know that the U.N. Secretary General Kofi Annan and others knew the extent of this violence early on but did nothing about it. Now we know there can be another genocide occurring, and we do know in advance. That is why the United States is going to have to call for an immediate cease-fire to prevent Ouattara and his rebel army from committing a mass slaughter of the Ivoirians, especially the many youths with sticks and baseball bats who are protecting President Gbagbo at the present time around the Presidential palace.

You have to get this mental picture: They have these young kids marching around. They do not have weapons. They are carrying baseball bats and 2 x 4s.

I have also been told in the last half hour that U.N. helicopters—U.N. peace-keeping helicopters—are firing on Gbagbo's military camp, causing massive explosions. There could be some confusion on this because two of the articles that came out in the last half hour—one was talking about the French, who are kind of behind and supporting, of course, Ouattara, that they are involved in this. The other says the United Nations. I am not sure. One of the two is.

Lastly, I sent Senate Foreign Relations Committee Chairman JOHN KERRY—by the way, I talked with him personally about this situation. He is very concerned about it. I requested he convene a hearing as soon as possible into the atrocities committed by forces loyal to rebel leader Ouattara, as well as into what I believe were flawed elections that gave legitimacy to his claim of the Presidency.

I ask unanimous consent to have printed in the RECORD the two letters sent to Secretary Clinton, along with the letter sent to Senator KERRY, and the miscalculation of the election that I honestly in my heart believe was stolen. This is the tabulation of the precincts. Add up the precincts and in just one precinct, there was a mistake of over 85,000 votes—just in one precinct.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, February 9, 2011.

Hon. HILLARY RODHAM CLINTON,
Secretary of State, U.S. Department of State,
Washington, DC.

DEAR MADAM SECRETARY: I write regarding my grave concerns over the conduct of the second round of voting in the presidential election held in Cote d'Ivoire last November 28, 2010.

As you know, the Independent Electoral Commission of Cote d'Ivoire announced the results of their counting of ballots and declared Alassane Ouattara the winner. It is my understanding of the Constitution of Cote d'Ivoire, however, that it is the Constitutional Council of Cote d'Ivoire and not the Electoral Commission which certifies and declares the winner of presidential elections. I also understand that the Electoral Commission announced the final vote tallies almost 16 hours after its constitutionally mandated time to report such results. It

seems that this election was not carried out in accordance with the constitution of this country.

A second and more troubling aspect of this second round of voting is the credible allegations of massive voter fraud—amounting to several hundred thousand votes—in the rebel-held north of Cote d'Ivoire. I am in receipt of evidence of these allegations, and I have enclosed it for your review.

An example of the kinds of voter fraud allegations that you will find in these attached materials are the tallies of precincts where, in the first round of voting, President Laurent Gbagbo received several thousand votes, but in the second round he received zero votes. This prima facie evidence of large scale voter fraud is very troubling.

Although the Obama Administration has recognized Alassane Ouattara as the winner of the election over President Gbagbo, I ask that you investigate these credible allegations of massive voter fraud and reassess whether the United States should continue to recognize Alassane Ouattara as the winner. Equatorial Guinean President and new African Union Chairman Teodoro Obiang Nguema Mbasogo has appointed a special panel of five African country leaders to present recommendations to the Union in a month's time on how to resolve this presidential election crisis. This would be a good opportunity for the U.S. to become involved in this assessment and investigate these allegations. I would recommend that serious thought be given to a recount of the votes supervised by an internationally sanctioned organization like the African Union, the Organization for Security and Cooperation in Europe or even the Organization of American States. I would further suggest that experienced U.S. electoral organizations become involved like the International Republican Institute, the National Democratic Institute and the International Foundation for Electoral Systems. A fair and impartial recounting of the votes might be one way to end this crisis peacefully.

I look forward to your response.

Sincerely,

JAMES M. INHOFE,
U.S. Senator.

U.S. SENATE,

Washington, DC, March 29, 2011.

Hon. HILLARY RODHAM CLINTON,
Secretary of State, U.S. Department of State,
Washington, DC.

DEAR MADAM SECRETARY: I write you again regarding my grave concerns over the conduct of the second round of voting in the presidential election held in Cote d'Ivoire last November 28, 2010. I also write to inform you that a new presidential election should be held in Cote d'Ivoire. This is the only way to prevent further bloodshed, stop a new civil war and ensure a truly free and fair election.

As I stated in my letter of February 9, 2011, Cote d'Ivoire's Independent Electoral Commission (CEI) announced the results of their counting of presidential ballots and declared Alassane Ouattara the winner. Under the Constitution of Cote d'Ivoire, however, it is the Constitutional Council of Cote d'Ivoire and not the Electoral Commission which certifies and declares the winner of presidential elections. In addition, the Electoral Commission announced the final vote tallies almost 16 hours after its constitutionally mandated time to report such results. This most important election phase was not carried out in accordance with the constitution of this country.

A second troubling aspect of this second round of voting is the credible allegations of massive voter fraud—amounting to several hundred thousand votes—in the rebel-held

north of Cote d'Ivoire. I received evidence of these allegations and sent it to you in my earlier letter, but have yet to receive a reply.

The evidence included tallies of precincts where, in the first round of voting, President Laurent Gbagbo received several thousand votes, but in the second round he received zero votes. This prima facie evidence of large scale voter fraud I found very troubling.

In the 57 days since my last letter, I have spoken with numerous officials on the ground during last year's presidential election. This includes African leaders I met with during my trip to this region last month. I have also obtained new evidence of massive voter fraud in the rebel-held north. Specifically, one exhibit (enclosed) is a copy of an official regional electoral return document from the Electoral Commission. It shows Ouattara receiving a total 149,598 from five northern cities. But when the total is officially reported in the amount column ("Totaux" column), Ouattara receives 244,471; a difference of 94,873 votes!

I have been a frequent traveler to Africa for the past 15 years. I have visited Cote d'Ivoire nine times, the last being June of 2010. I am probably the most knowledgeable person about Africa in the U.S. Senate. From all the evidence I now have gathered, I am convinced that it is mathematically impossible for President Gbagbo to have lost the election by several hundred thousand votes. And if a similar amount of fraud exists in the other four regions of the rebel-held north, Gbagbo is actually the winner of the presidential election.

The hundreds of thousands of potential fraudulent ballots, combined with the unconstitutional method in which the votes were tallied and announced by the Independent Electoral Commission, lead me to conclude that the election was not free and fair. I also conclude that a new presidential election should be held under international sanction and supervision to ensure a free and fair election.

I am aware that my position is different from that of the Obama Administration, which has recognized Alassane Ouattara as the winner. I ask, however, that you change your position in light of the evidence I have provided, and that you call for a new election. Such a change would not be viewed as inconsistent, but a wise reevaluation in light of new evidence presented. It is also consistent with our American dedication to the principle that democracy works best when it works for all and not for some.

I recommend that the new election be supervised by internationally sanctioned organizations like the African Union or the Organization for Security and Cooperation in Europe. I would further suggest that experienced U.S. electoral organizations become involved like the International Republican Institute, the National Democratic Institute and the International Foundation for Electoral Systems.

I am convinced that only through a new election will the people of Cote d'Ivoire end the increasing bloodshed, stop another civil war and ensure free and fair elections.

Sincerely,

JAMES M. INHOFE,
U.S. Senator.

U.S. SENATE,

Washington, DC, April 4, 2011.

Hon. JOHN F. KERRY,
Chairman, Senate Foreign Relations Committee,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: It is now clear, based on United Nations reports coming from Cote d'Ivoire that mass killings have occurred in the western town of Duekoue at the hands of forces loyal to Alassane Ouattara. This calls

into question his legitimacy to lead that country. The killing of innocent civilians must stop now before this becomes another Rwanda.

In light of these facts, I request that you convene a hearing as soon as possible into this atrocity committed by forces loyal to rebel leader Ouattara, as well as into what I believe were flawed elections that gave legitimacy to his claim of the presidency.

Based on the evidence I have seen, and having spoken with various African dignitaries, I brought this issue of fraudulent elections in Cote d'Ivoire to the attention of Secretary of State Clinton on two occasions spanning the past few months. I called for the United States to support new elections there, but thus far, these efforts have received an inadequate response. Based on the news that Ouattara has murdered 1,000 people in Duekoue, I hope the U.S. will reconsider its position and that you will hold this hearing.

The United States must call for an immediate ceasefire to prevent Ouattara and his rebel army from committing a mass slaughter of Ivoirians, especially the hundreds of youth with sticks and baseball bats, who have formed a human chain around Gbagbo's residence and presidential palace.

I know your plate is full now regarding the situation in Libya, but I know you are sensitive to this situation and hope you will hold this hearing.

Sincerely,

JAMES M. INHOFE,
U.S. Senator.

Mr. INHOFE. I yield the floor. 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. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BENNETT). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF JIMMIE V. REYNA TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIR- CUIT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to report the following nomination.

The assistant bill clerk read the nomination of Jimmie V. Reyna, of Maryland, to be United States Circuit Judge for the Federal Circuit.

The PRESIDING OFFICER. Under the previous order, there be will 1 hour of debate equally divided and controlled between the two leaders or their designees.

Mr. LEAHY. Mr. President, I ask unanimous consent that, however the time is divided, the vote begin no later than 5:30.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I thank the majority leader for beginning another work week by scheduling a con-

firmation vote on an important judicial nomination. The nomination of Jimmie V. Reyna to the Federal circuit was reported unanimously by the Judiciary Committee on March 10. I expect his nomination to be confirmed with strong bipartisan support, likely unanimously.

That is also true of many of the other judicial nominations pending on the Senate's Executive Calendar, including several for what have been designated judicial emergency vacancies in New York, California, Florida and Tennessee. With nearly one out of every nine Federal judgeships vacant, we should act responsibly to address this vacancies crisis by voting promptly on nominations favorably reported by the Judiciary Committee. After this confirmation today, the nominations of another dozen judges and that of the Deputy Attorney General of the United States will remain pending and awaiting Senate consideration and final Senate action. Several of the judicial nominations and that of the Deputy Attorney General have been waiting final Senate action since last year.

At his confirmation hearing in February, Mr. Reyna was introduced to the Judiciary Committee by both of his home State Senators, Senator MIKULSKI and Senator CARDIN of Maryland. Senator CORNYN of Texas, a Republican, also joined Senator CARDIN in recommending Mr. Reyna to President Obama. When he is confirmed, Mr. Reyna will become the first Latino to serve on the U.S. Court of Appeals for the Federal Circuit. A past president of the Hispanic National Bar Association, Mr. Reyna has excelled in private practice for 30 years, specializing in international trade law. He was unanimously rated by the American Bar Association's Standing Committee on the Federal Judiciary as well qualified to serve on this court, its highest possible rating.

The Judiciary Committee received letters of support for Mr. Reyna's nomination from the Customs and International Trade Bar Association, CITBA, and from the former Chairs of the ABA Section of International Law. In its letter, CITBA described Mr. Reyna's temperament as "ideal" and commented that "[h]e is fair and focused and he has dedicated his life not just to practice in this field of law, but to scholarly writing in this field." The former Chairs of the ABA Section of International Law write that they "believe he has the professional credentials, the experience and skills, the appropriate temperament, and the fair and sound judgment that would enable him to serve on the Court of Appeals for the Federal Circuit with distinction and honor."

Mr. Reyna's nomination demonstrates President Obama's commitment to working with Senators to select well-qualified nominees, and his commitment to increasing diversity on the Federal bench. It is appropriate that we are considering Mr. Reyna's nomination in a timely manner. There is no reason it should take weeks and

months for the Senate to consider nominees reported by the Judiciary Committee, particularly those who are consensus nominees.

Mr. Reyna's nomination is one of 13 judicial nominations currently awaiting a Senate vote after being favorably reported by the Judiciary Committee. Two of those nominations have twice been considered by the Judiciary Committee and twice reported with strong bipartisan support, first last year and again in February. They are Susan Carney of Connecticut to fill a judicial emergency vacancy on the United States Court of Appeals for the Second Circuit and Michael Simon to fill a vacancy on the District Court in Oregon. Another has been reported favorably three times with bipartisan support, that of Jack McConnell to the District of Rhode Island. Another currently pending nomination has been reported favorably four times, that of Judge Edward Chen to a judicial emergency vacancy on the Northern District of California. All of these nominations have long been ready for a Senate vote. So are nominations now pending to fill a judicial vacancy on the DC Circuit, a second judicial emergency vacancy in California, judicial emergency vacancies in New York, Tennessee, and Florida, two vacancies in Virginia, and a vacancy in New Jersey. I expect the Judiciary Committee will consider and report additional judicial nominations this week, adding to the number of judicial nominations ready for final Senate action.

Federal judicial vacancies around the country still number too many, and they have persisted for too long. Nearly one out of every nine Federal judgeships remains vacant. Whereas the Democratic majority in the Senate reduced vacancies from 110 to 60 in President Bush's first 2 years, judicial vacancies still number 95 over 26 months into President Obama's term. By now, judicial vacancies should have been cut in half, but we have barely kept up with attrition.

Regrettably, rather than reduce vacancies dramatically as we did during the Bush administration, the Senate has reversed course during the Obama administration, with the slow pace of confirmations keeping judicial vacancies at crisis levels. Over the 8 years of the Bush administration, from 2001 to 2009, we reduced judicial vacancies from 110 to a low of 34. That has now been reversed, with vacancies first topping 90 in August 2009 and staying above that level since. The vacancy rate which we already had reduced from 10 percent at the end of President Clinton's term to 6 percent by this date in President Bush's third year, and ultimately to less than 4 percent in 2008, has now risen back up to nearly 11 percent.

This high level of vacancies puts at serious risk the ability of all Americans to have a fair hearing in court.

The real price being paid for these unnecessary delays in filling vacancies is that the judges that remain are overburdened and the American people who depend on them are being denied hearings and justice in a timely fashion.

A recent article in the Harrisburg, PA, Patriot News entitled "Senior judges ease 'a very serious shortage,'" illustrates the extent of this burden. The article focuses on Senior Judge Malcolm Muir of the Middle District of Pennsylvania who, "[a]t age 96 . . . still comes to work every day, minus the occasional holiday. Hearing problems keep him out of the courtroom, but his workload hardly has decreased." Judge Muir could long since have entered his well-deserved retirement. But it is good he has not because, according to the article, "[i]n the Middle District of Pennsylvania, eight of the 11 sitting judges are seniors," including one who joined the bench in 1962. This is not only a local issue. I know courts in Michigan, Illinois, the District of Columbia, Arizona and elsewhere across the Nation have faced similar problems. According to the Patriot News, "nationwide, senior judges handle 21 percent of the federal court's caseload." I ask that a copy of this article be printed in the RECORD at the conclusion of my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.
(See exhibit 1)

Mr. LEAHY. I am grateful to the senior judges who are willing to step in and take large caseloads, and to the active judges who continue to work hard to keep the courts functioning, but the Senate must do better. We must work together to ensure that the Federal judiciary has the judges it needs to provide justice to Americans in courts throughout the country. Judicial vacancies on courts throughout the country hinder the Federal judiciary's ability to fulfill its constitutional role. They create a backlog of cases that prevents people from having their day in court. This is unacceptable. That is why Chief Justice Roberts, Attorney General Holder, White House Counsel Bob Bauer and many others, including the President of the United States, have spoken out and urged the Senate to act.

We should follow the model we are following today by considering and confirming the President's nominations to the Federal bench in a timely manner. President Obama has worked with Senators from both sides of the aisle to identify superbly qualified nominees in districts with vacancies. All 13 of the nominations on the Executive Calendar have the support of their home State Senators, Republicans and Democrats. All have a strong commitment to the rule of law and a demonstrated faithfulness to the Constitution. All should have an up or down vote after being considered by the Judiciary Committee, and without weeks of needless delay.

I have thanked the Ranking Republican on the Judiciary Committee, Sen-

ator GRASSLEY, for his cooperation this year. I see him taking credit for what he calls "our rapid pace." I am glad to see him echo my call to turn the page and end the days of tit for tat on judicial nominations. That is what I did from the first days of the Bush administration in spite of how President Clinton's nominees had been treated. I hope he will work with me so that we can continue not only to report nominations, but to vote on them in the Senate.

We have a long way to go to do as well as we did during President Bush's first term, when we confirmed 205 of his judicial nominations, bringing the vacancy rate down from 10 percent to just over 4 percent. We confirmed 100 of those judicial nominations during the 17 months I was chairman during President Bush's first 2 years in office. So far, well into President Obama's third year in office, the Senate has only been allowed to consider 75 of President Obama's Federal circuit and district court nominees. We remain well short of the benchmarks we set during the Bush administration.

I hope that it is a sign of progress that we are today proceeding to confirm a judicial nominee considered and reported last month and hope that we can continue to work to restore regular order in considering judicial nominations. I would hope that we could clear the calendar of nominees before the next recess and that at a minimum the Senate proceed to confirm those who will be confirmed unanimously. If we join together we can make real progress by considering all of the judicial nominations now on the Senate's Executive Calendar.

I congratulate Jimmie Renya and his family on his confirmation today.

[From Pennlive.com, Mar. 23, 2011]

SENIOR JUDGES EASE 'A VERY SERIOUS SHORTAGE'

(By Matt Miller)

Judge Malcolm Muir leads a group of new U.S. citizens in the oath of allegiance during a naturalization ceremony at the U.S. Courthouse and Federal Office Building in Williamsport, Pa.

At age 96, long after his contemporaries have retired, U.S. Middle District Senior Judge Malcolm Muir still comes to work every day, minus the occasional holiday.

Hearing problems keep him out of the courtroom, but his workload hardly has decreased.

Muir is inundated with Social Security appeals. He handles most of those types of cases for the entire district, which spans Pennsylvania's core.

"Some of those files are large," Muir said. "I just got one last week that was 7 inches thick."

It is likely that without Muir and other senior judges, the federal court system would implode.

Those jurists have agreed to keep presiding with no extra pay long after they could have stepped comfortably into retirement.

Nationwide, senior judges handle 21 percent of the federal court's caseload. In the Middle District of Pennsylvania, eight of the 11 sitting judges are seniors. The longest-serving senior judge in the district, William J. Nealon, joined the bench in 1962.

Muir is the nation's fourth-oldest serving federal senior judge.

Senior judges are particularly vital given that more than 90 federal judgeships across the nation—10 percent of regular full-time posts—remain unfilled, often because of political wrangling in Washington, D.C.

Judicial appointments are recommended by the president but require congressional sanction.

In the Middle District, which serves 33 of the state's 67 counties, there are three regular judge vacancies. President Barack Obama has made a recommendation to fill only one of them, with Scranton labor lawyer Robert David Mariani.

Senior Judge Richard P. Conaboy, who like Muir helps keep the Middle District running, said he checked on the status of Mariani's appointment recently and was told "there is no movement at all."

"It's frustrating," the 86-year-old Conaboy said. "The cases keep piling up. We have much more civil rights, employment discrimination and immigration lawsuits."

There is no question that the court is busier than when he was appointed to the bench during the Carter administration in 1979, he said.

He also noted there were no senior judges then.

Yvette Kane, chief judge of the Middle District, said "the wheels would stop turning" for her court if the senior judges abandoned their essentially volunteer service.

The district, which logs 2,500 new case filings each year, is experiencing "a very serious judicial shortage" and needs to have its three judicial vacancies filled, Kane said.

She said she is requesting that a seventh judgeship be added to the court's roster. The 3rd U.S. Court of Appeals has approved the proposal, Kane said, and if backed by the U.S. Judicial Conference this year, it would go to Congress.

"This district is already underserved" in terms of judges, she said, noting that her court ranks 12th in the nation among federal courts in terms of trial activity.

The three regular judge vacancies on her court arose when Judges James Munley and A. Richard Caputo in the Scranton division took senior status in January and March 2009, respectively, and Judge Thomas I. Vanaskie was elevated to the 3rd Circuit Court last April.

Larry Smar, deputy chief of staff for U.S. Sen. Robert P. Casey Jr., D-Pa., said his boss and former Sen. Arlen Specter submitted three names of judicial candidates for the state's Middle and Western District courts to the president last year.

Smar said Casey and Specter's successor, Sen. Pat Toomey, is "currently working on establishing a process moving forward" to fill the remaining court vacancies.

Kane said her court received a major blow in December with the death of 79-year-old Senior Judge James F. McClure Jr., one of the district's younger senior judges.

"He was a workhorse," she said.

Without McClure, Kane said, the court's regular judges have had to travel more often among the district's offices to cover the caseload.

Despite their obvious value, McClure's loss highlights the tenuous nature of the reliance on senior judges, she said.

"No one knows how long they're going to be able to do this," Kane said.

Being short-staffed on regular judges has its effects, especially because the senior judges often "are not able to travel or manage trial dockets as they once did, and should not be expected to do so," she said.

"Although we're going to get the work done, it's not ideal for the litigants," Kane said. "It results in delays."

Three midstate attorneys who practice regularly in federal court—John Abom, Dennis Boyle and Karl Rominger—said they haven't experienced delays in the handling of cases.

"Decisions are rendered in a quick period of time," said Abom, who has appeared before federal judges since 1999.

Rominger said the experience of the seniors brings value. "The senior judges are the court's institutional memory," he said.

Some might wonder why senior judges stay on when they could retire and escape their often crushing caseloads.

They are paid \$174,000 annually for the rest of their lives regardless of whether they stay or go, so senior judges make no extra money by continuing to work.

Conaboy said the need to fill the Middle District judge vacancies is desperate.

"It is a crisis here in our district," he said, noting that senior judges do at least 80 percent of the work in the Middle District's northern zone, which is centered on Scranton.

Yet Conaboy said he wouldn't walk away even if all the judge vacancies were filled.

"I work every day. I'm not complaining because I've always had an interest in the workings of the justice system," he said. "I want to see that the system works properly."

That's one of his motivations for continuing to weigh cases. The other, he said, is that "there's no one else to do the work."

Still, senior judges are not a limitless resource, Conaboy said.

"When you're 86, how long can you go on?" he asked. "We'd like to lighten our workloads. Trial work gets to be a much greater burden as you get older."

Mr. LEAHY. I see the distinguished Senator from Tennessee. I am going to suggest the absence of a quorum to speak with him for a moment before he speaks.

I suggest the absence of a quorum and ask unanimous consent that the time be divided equally.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. ALEXANDER. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

REMEMBERING FORMER GOVERNOR NED MCWHERTER

Mr. ALEXANDER. Mr. President, it is my sad responsibility to announce that former Gov. Ned McWherter of Tennessee has died this afternoon. Ned had many friends here in Washington, but he had a lot more in Tennessee.

What symbolized Ned McWherter to me was a story that occurred to me when I was elected Governor in 1978. I was a young Republican, about 37 years old. There hadn't been many Republican Governors in Tennessee at that time. The whole State was one party. It was very Democratic. Ned McWherter was the speaker of the House. For those who knew Ned McWherter, he was a big, burly, Hoss Cartwright sort of fellow. He and the Lieutenant Governor, a Democrat, pretty well ran the capital.

Shortly after I came in, the Capitol Hill media came up to speaker Ned McWherter and said: Well, Mr. Speaker, what are you going to do with this new young Republican Governor?

Speaker McWherter said: I am going to help him, because if he succeeds, our State succeeds.

For 8 years, as he was speaker and I was Governor, he did that. The people of Tennessee apparently didn't mind it because after I left, they elected him Governor. He served for 8 years. That sort of bipartisan cooperation was the way I learned about politics in Tennessee. Ned was a pretty thoroughgoing Democrat. He was one of President Clinton's closest friends and early allies. Democrats all around the country came to him for his homespun advice. He had no problem working hard during election time to put legislators who were Democratic in place of Republicans who were already in their seats. That was not a problem for him. But in between elections, he knew what to do. We would meet in the Governor's office every Tuesday morning, and we would go over the issues, the Republican Governor and the Democratic leaders. Then we would decide what to do. If I came up with a better schools program, the Democrats would come up with an even better "better schools" program. So when Tennessee became the first State to pay teachers more for teaching well on a Statewide basis in 1984, I made the proposal, but it was the result of a bipartisan education commission that Speaker McWherter and Lieutenant Governor Wilder, both Democrats, and I jointly agreed on. When the legislature agreed to it, I may have proposed it as Governor, but it was amended by the Weakley County amendment, which was the home county of Speaker McWherter. In other words, it was his willingness to fashion a consensus bill on a revolutionary idea at the time, to reward outstanding teachers by paying them more for teaching well.

He did the same thing with highways and roads. Tennessee had one of the worst road systems in the country in the early 1980s. By the time we were finished, we had what the truckers called the best. We had three big road programs. We increased revenues to pay for it so we didn't run up any debt. In every case, Speaker McWherter supported and made sure legislation passed.

When we became a State that attracted Japanese industry, he knew the commitments I made as a Republican Governor he would fulfill as a Democratic leader of the House of Representatives and that he would continue as a Democratic Governor. It was a seamless transition. The same was true with the automobile industry when it had begun to come to Tennessee. People began to look around for a central location with a right-to-work law and good working people. Through a succession of Governors—Republican, Democratic, Republican, Democratic—we worked together to do that.

Of special interest to Washington, DC, right now, through all those Democratic and Republican Governors, we agreed our State would have almost no debt. Under Governor McWherter and Speaker McWherter, our State had almost no debt. If we needed something, we paid for it. As a result, we have low taxes.

Ned McWherter was one of the finest public servants I ever had a chance to work with. He became a close friend. He had an infectious personality and great sense of humor. One of the last visits I had with him included the inauguration of the new Governor, Bill Haslam. Ned McWherter, who was 80 years old, and Jim Haslam, father of the new Governor, were the same age and the best of friends. Their sons competed for the right to be the new Governor of Tennessee. Governor McWherter and Jim Haslam, after the election, were the best of friends. That is the kind of person Ned McWherter was.

There are a lot of people in our State who come in and out of politics. Maybe they are appreciated, maybe they are not. Only a few leave a lasting impression. Ned McWherter will be among the very few who leave the most impression. Part of it was his big, burly, infectious, lovable personality. Part of it was his good sense of politics and openness around the State capital. But a lot of it was his willingness to say to people such as a new young Governor of the opposite party: I am going to help you succeed, because if you succeed, our State succeeds.

Governor McWherter and I talked many times. I talked with him most recently about 1 week ago. He was going to see his doctor again to find out whether, as he said, he had a short fuse or a long fuse. Apparently, he had a short fuse. He didn't have much life left in him, although he may not have known it. Perhaps he did. He used to joke and say the size of the crowd at your funeral will depend a lot on the weather. I think all of us in Tennessee would say the size of the crowd at Ned McWherter's funeral will have nothing to do with the weather, because I imagine it will be standing room only, with people pouring out of the back doors.

We are sad he is gone. But it has been 80 remarkable years. The Governor who never graduated from college is the Governor who had the courage to put into State law the Sanders model for relating student achievement to teacher performance, helping our State win this administration's Race to the Top Award some 15 or 20 years later. He made a real contribution to our State. He has a big place in all our hearts. I am sad to report he is gone. But it is an important time to celebrate the life of a public servant whose lessons of how to achieve consensus and still be a good politician will be a good lesson for everyone in Washington, DC.

I yield the floor, suggest the absence of a quorum, and ask unanimous consent that the time be equally divided between the parties.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, today our body, the Senate, is going to vote to confirm the 15th judicial nominee for this year. If it seems to my colleagues and to the public that we have been voting on a nominee every week, well, we have been voting on a nominee at least once a week. Both in committee and on the floor, judicial nominees have regularly appeared on the Senate's agenda. We have taken positive action on 34 of the 61 judicial nominees submitted to this Congress by President Obama. We continue to hold hearings every 2 weeks to examine the nominees' records and to receive testimony. The committee meets every week to report nominees to the floor. So far, the committee has reported 27 nominees, which is ahead of the 23 reported by this same time in the 108th Congress.

This demonstrates my commitment and the commitment of Republicans on the Judiciary Committee to cooperate with the chairman to move forward on consensus nominees. Even as we do so, we continue to thoroughly examine the records and the qualifications of all nominees, which is the responsibility of the Senate.

I would note that a number of judicial nominations and at least one executive branch nomination which remain on the Senate's Executive Calendar are controversial in nature—in other words, not the consensus approach which I have spoken about concerning other nominees to the judiciary. I appreciate the efforts of our leadership to move in a timely manner the nominations which are consensus nominees.

Today, we will vote on the nomination of Jimmie V. Reyna to be a U.S. circuit judge for the Federal Circuit. Mr. Reyna received his B.A. from the University of Rochester and his juris doctorate from the University of New Mexico School of Law.

After graduating from law school, the nominee served as law clerk for a firm and as an associate at an insurance defense firm in New Mexico. It was in 1981 that Mr. Reyna formed his own firm and practiced plaintiff injury, civil rights, and criminal law. He then moved to the Washington, DC, area in 1986 and worked at an international trade firm, eventually making partner of that law firm. Mr. Reyna continues to specialize in international trade matters with the firm of Williams

Mullen, where he directs the international trade and customs practice group and the Latin American Task Force.

The American Bar Association has rated this nominee unanimously "well qualified," and of course I am pleased to support that nomination.

The Federal Circuit is unique among the courts of appeal. It is not geographical-based but has nationwide subject matter jurisdiction in designated areas of the law. In addition to international trade, the court hears cases on patents, trademarks, government contracts, certain money claims against the U.S. Government, veterans' benefits, and public safety officers' benefits claims.

Of particular interest to me, this court has exclusive jurisdiction over cases related to Federal personnel matters. That includes exclusive jurisdiction over appeals from the Merit Systems Protection Board, which hears whistleblower cases under the Whistleblower Protection Act. If anybody wonders why this Senator said that I have a particular interest in this court and what it does on Federal personnel matters, it is because I have been a long-time advocate for whistleblower protection legislation and have been involved with my colleagues in this body in passing some of that whistleblower protection legislation.

I congratulate Mr. Reyna and his family on this important lifetime appointment.

Thank you, Mr. President. I yield the floor.

Mr. CARDIN. Mr. President, I rise in support of the nomination of Jimmie Reyna to be a U.S. Circuit Judge for the United States Court of Appeals for the Federal Circuit. I had recommended that Mr. Reyna be nominated.

Mr. Reyna comes to the Senate with 23 years of experience in international trade law. Mr. Reyna currently is a partner in the Washington, DC, office of Williams Mullen. Mr. Reyna directs the firm's Trade and Customs Practice Group, as well as the firm's Latin America Task Force, and has also served for several years on his firm's board of directors, where he currently serves as vice president.

In his practice, Mr. Reyna handles matters before the various federal agencies, and represents clients before the Court of International Trade, the U.S. Court of Appeals for the Federal Circuit, and foreign governmental, administrative, and judicial bodies. He also serves on the roster of dispute settlement panelists for trade disputes under the North American Free Trade Agreement and the World Trade Organization Dispute Settlement Mechanism.

Mr. Reyna has also authored several articles and two books on international trade issues, and his third book on the subject is due to be published this spring. His experience in trade law would bring important expertise to the

Federal circuit, a unique court with nationwide jurisdiction that deals with many trade law issues and yet currently lacks a trade specialist.

Mr. Reyna was admitted to the New Mexico Bar in 1979 and the District of Columbia bar in 1994. He received his J.D. from University of New Mexico School of Law and his BA from University of Rochester. The American Bar Association's Standing Committee on the Federal Judiciary evaluated Mr. Reyna's nomination and rated him unanimously well qualified, the highest possible rating.

Mr. Reyna's personal history is compelling. Born in New Mexico to a modest family, his missionary parents instilled in him a belief that all people are equal, a principle he has exemplified in his work to ensure that all people are treated fairly in our legal system. After law school, he worked as a litigator at a firm in Albuquerque and later established his own practice dealing with domestic relations, civil rights, tort, and criminal defense matters. In his practice, he often represented clients pro bono, devoting a large portion of his time to providing advice and representing individuals who could not afford legal assistance.

A few years later, Mr. Reyna moved with his family to the Washington, DC metro area, where he built his well-regarded career in international trade.

Mr. Reyna has continually proven that he is an outstanding and civic-minded person. Mr. Reyna is a well-known national leader in U.S. Hispanic affairs. He has held various leadership positions in the Hispanic National Bar Association, HNBA, including national president, vice president of regional affairs, regional president, and chair of the International Law Committee. During his term as national president of HNBA, Mr. Reyna launched the association's first-ever community outreach program called "The Promise in the Law," which was designed to instill trust and confidence in the U.S. legal system by the Hispanic communities. Mr. Reyna also created "The HNBA Journal of Law and Policy," the HNBA's first law journal, which addresses policy and legal issues affecting the Hispanic community. Currently, he serves on the board of directors of the National Hispanic Leadership Agenda, an organization that includes the country's 29 largest leading Hispanic organizations.

Mr. Reyna is also a founder and a member of the board of directors of the U.S.-Mexico Law Institute. He has received multiple awards for his service to the Hispanic community, including the 2009 Ohtli Medal Award, Mexico's highest award for a non-Mexican citizen. Through his work, Mr. Reyna has strived to ensure that members of disadvantaged communities are informed about the law, that the legal community is prepared to handle the legal challenges facing the growing Latino community, and that the judiciary remains strongly independent, impartial, and accessible to all.

Mr. Reyna's civil service is not limited to his work for the Hispanic community. He has been recognized by the Court of International Trade for his extensive pro bono work before that court. He also serves on the board of directors of the Community Services for Autistic Adults and Children Foundation.

Mr. Reyna's nomination would also bring much-needed diversity to the Federal circuit. Throughout his career, Mr. Reyna has shown a strong commitment to diversity and racial equality, not only through his service to the Hispanic community, but also through his service on the ABA Presidential Commission on Diversity in the Legal Profession, and as chair of the Williams Mullen Diversity Committee. If Mr. Reyna is confirmed, he would be the first Latino to serve on the Federal circuit in its history. With the nomination of Mr. Reyna, the Senate has another opportunity to further increase the diversity of the Federal bench.

Because of his vast qualifications, Mr. Reyna's nomination has received support from various organizations and individuals, including the HNBA and the Congressional Hispanic Caucus. Additionally, seven former chairs of the American Bar Association Section on International Law wrote a letter of endorsement for Mr. Reyna, affirming that Mr. Reyna has "the professional credentials, the experience and skills, the appropriate temperament, and the fair and sound judgment" to serve on the Federal circuit.

And, last but certainly not least, Mr. Reyna is a resident of Silver Spring, MD, and a constituent of mine.

In conclusion I urge the Senate to confirm Mr. Reyna's nomination to be a U.S. circuit judge for court of appeals for the Federal circuit.

Mr. BENNET. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. FRANKEN). Is there a sufficient second? There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Jimmie V. Reyna, of Maryland, to be United States Circuit Judge for the Federal Circuit?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Dakota (Mr. CONRAD), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Oregon (Mr. MERKLEY), the Senator from Rhode Island (Mr. REED), and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

I further announce that, if present and voting, the Senator from Rhode Island (Mr. REED) would vote "yea."

Mr. KYL. The following Senators are necessarily absent: the Senator from South Carolina (Mr. DEMINT), the Senator from South Carolina (Mr. GRAHAM), the Senator from Texas (Mrs. HUTCHISON), the Senator from Idaho

(Mr. RISCH), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Louisiana (Mr. VITTER), the Senator from Mississippi (Mr. WICKER), and the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Mr. MANCHIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 86, nays 0, as follows:

[Rollcall Vote No. 47 Ex.]

YEAS—86

Akaka	Ensign	Menendez
Alexander	Enzi	Mikulski
Ayotte	Feinstein	Moran
Barrasso	Franken	Murkowski
Baucus	Gillibrand	Murray
Begich	Grassley	Nelson (NE)
Bennet	Hagan	Nelson (FL)
Bingaman	Harkin	Paul
Blumenthal	Hatch	Portman
Blunt	Hoeven	Pryor
Boozman	Inhofe	Reid
Boxer	Inouye	Roberts
Brown (MA)	Isakson	Rockefeller
Brown (OH)	Johanns	Rubio
Burr	Johnson (SD)	Sanders
Cantwell	Johnson (WI)	Schumer
Cardin	Kerry	Sessions
Carper	Kohl	Shaheen
Casey	Kyl	Shelby
Chambliss	Landrieu	Snowe
Coats	Leahy	Tester
Coburn	Lee	Thune
Cochran	Levin	Udall (CO)
Collins	Lieberman	Udall (NM)
Coons	Lugar	Warner
Corker	Manchin	Webb
Cornyn	McCain	Whitehouse
Crapo	McCaskill	Wyden
Durbin	McConnell	

NOT VOTING—14

Conrad	Klobuchar	Stabenow
DeMint	Lautenberg	Toomey
Graham	Merkley	Vitter
Hutchison	Reed	Wicker
Kirk	Risch	

The nomination was confirmed.

• Ms. KLOBUCHAR. Mr. President, I regret that a commitment in Minnesota has prevented me from being able to cast my vote in support of Mr. Jimmie V. Reyna's confirmation to be a judge on the U.S. Court of Appeals for the Federal Circuit. I believe that Mr. Reyna has the stellar qualifications, intellectual capability, temperament and integrity that are the hallmarks of our finest federal judges. Had I been present this evening, I would have cast my vote in support of Mr. Reyna.

I had the pleasure of being introduced to Mr. Reyna last year by Peter Reyes, a constituent of mine who is an intellectual property lawyer and a leader in the Minnesota Hispanic Bar Association. Upon meeting Mr. Reyna, it was easy to see what the American Bar Association later confirmed when it unanimously gave him the highest possible rating for a judicial nominee: he is well qualified. I know that Mr. Reyna's three decades of experience in private practice focusing on international trade issues will serve him well given the Federal circuit's unique jurisdiction. I congratulate Mr. Reyna on his confirmation. •

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from Delaware is recognized.

MORNING BUSINESS

Mr. COONS. 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.

COLLECTIVE BARGAINING RALLIES

Mr. COONS. Mr. President, I rise today to speak about the rallies that have occurred all over this country today, and to add my voice to theirs. Today, Americans in all 50 States are gathering at hundreds of rallies and events to stand together in unity in defense of the collective bargaining rights of public employees—rights I believe are now under attack in Wisconsin, Ohio, and in other States across this country.

That those demonstrations have been held today is no mere coincidence, for on this very day, 43 years ago, the Reverend Dr. Martin Luther King was killed in Memphis, TN, while standing up for the rights of 1,300 public sanitation workers.

Working men and women gathered early today in Wilmington to declare "We Are One," and within the hour of this speech, thousands more will gather in Madison, WI, to protest what in my view is the scandalous move of Governor Walker to strip Wisconsin's longstanding collective bargaining rights from public-sector employees.

Before coming to this body, I served as the county executive of New Castle County, DE, for 6 years. And before becoming Governor of Wisconsin, Governor Scott Walker was also the county executive of Milwaukee County for 8 years. I understand the difficult choices executives face when they must adopt a balanced budget, even in the toughest of economic and fiscal times, for as county executive I too faced extremely difficult budget challenges, as did the Presiding Officer as the Governor of West Virginia.

But I rise today because I know from my experience in cutting spending and in balancing budgets that it can be done without stripping American workers of their fundamental rights to organize and to collectively bargain. I know it because I have done it through collective bargaining and without resorting to blaming and draconian anti-union legislation.

New Castle County, DE, is a mid-sized county government serving just over ½ million people and has a budget of about \$230 million. As the county executive, I confronted a real and growing budget problem. Our housing boom

had masked deepening spending deficits that were unsustainable even before the economic collapse in 2008. As our national and local economies tumbled, our government's revenue did as well. I had already spent my first few years as county executive cutting spending each and every year in simple cuts, and we had only fundamental cuts in front of us.

We had reduced library hours, ended popular public events, and made many difficult choices that many local governments and many State governments face today. But that wasn't enough. As with many State and local governments, our budget was three-quarters personnel costs, and we could not allow those costs to continue to grow as health care and pension costs boomed. We needed to cut our people cost to get our budget under control.

Now, in the case of the county I formerly served, more than 80 percent of the county workforce is represented by organized labor, mostly AFSCME, but also the FOP and IBEW as well—and we needed all groups to come together and share the sacrifice that lay ahead.

It was just 2 years ago last week that I rose before our county council and delivered the hardest budget address I had ever given, one in which I laid out that we had two paths forward; one path would involve having all the suffering focused on about 150 to 200 public employees who would have to be laid off to balance our budget, and the other was sharing that sacrifice across our entire mostly unionized workforce.

Ultimately, after many meetings, many negotiations, some very hard talk and debate—and yes, even at one point some layoffs—every bargaining unit in our county government came to the table, worked collaboratively, and helped us reach the goal of cutting 5 percent of our total personnel costs not just 1 year but, as the recession continued and deepened, a second year as well. Many of these great and dedicated public employees saw health care costs shift and benefit packages change as well. But together they were willing to share that sacrifice, to work in the best interests of our county and the public, and to acknowledge that we are one.

In some ways, seeking a legislative solution such as has been done in Wisconsin, trying to simply strip away the right to be organized, to be at the bargaining table, might have seemed easier. Working together, as you know, as labor and management is not an easy path. No one wants to hear they have to do more with less, especially when it comes to their own paychecks. And public employees—in Delaware and all across this country—are, in my view, not just the backbone of our community but the backbone of our middle class. They are the policemen, the paramedics, the 911 call-takers, the emergency sewer repairmen, the librarians, the teachers, the health service workers, and the prison guards—the folks who keep our communities safe,

healthy, and prepared for the future day in and day out.

In my view, where public employees come together to organize and seek collective representation on workplace issues, we ought to respect those choices. Collective bargaining serves as a critical check on our system and its long and storied history is an important part of American history and American values. It is that check that led to the end of child labor practices, that led to the 40-hour workweek and the weekend, to workplace safety rules, and ended legal sweatshops. It is a critical check against excesses and overreach by management and by the marketplace.

I stand here today to remind all of us that labor unions and the hundreds of thousands of public employees they represent in this country are not the enemy. We all know this country faces a significant, almost devastating national debt and annual budget deficit, and we are going to have to make shared sacrifices and tough choices to get through these next few years. But that does not require we strip the collective bargaining rights of the hundreds of thousands of public employees who serve us in the Federal Government, and the hundreds of thousands, even millions of public employees who serve our Nation at each and every level of government.

More often than not, these are the employees who do the difficult, the dirty and the dangerous jobs that keep us safe and make our communities strong. They simply, in my view, do not deserve to be demonized but, rather, to be listened to, respected, and partnered with, as together we seek solutions to the challenges facing our country now and in the future. In my view, passing new laws to eliminate their basic collective bargaining rights is wrong, and we can do it better by working together.

So today, I join with all those who are standing up for these fundamental rights of the American worker and join them in declaring “We Are One.”

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold his suggestion.

Mr. COONS. Yes, Mr. President.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, I came to the floor for the same reason Senator COONS did. I appreciate the comments of the Senator from Delaware in the beginning of his first term in office. He obviously understands the importance of worker rights and the importance of collective bargaining.

In my State, collective bargaining passed 30 years ago. Because of that, we no longer see the “blue flu,” where a police officer calls in sick. Because there was no ability to organize and bargain collectively, they would call in sick the same day. They had no other way of expressing themselves. We have seen significant labor peace, when we

didn't always have labor peace on a lot of these issues prior to the early 1980s in my State, where we now have collective bargaining.

My colleagues who have followed the news—I think people are very aware of this in my State—know that Governor Kasich recently signed legislation to take away those bargaining rights. That is why I have come to the floor today, in part, to celebrate We Are One, an organization that represents people of faith, people who belong to trade unions, people who care about economic justice, people who support strong community local services—the police, the firefighters, nurses, teachers—and who have come together to honor Dr. King.

As Senator COONS mentioned, Dr. King was assassinated 43 years ago today because he was standing with workers in Memphis, TN—sanitation workers. Some of those workers had been crushed to death on the job by heavy machinery and had no ability to bargain collectively, no ability to fight for themselves. Most of them African American, most had no real rights to job safety, decent wages, or benefits. Dr. King understood that worker rights is a human rights issue, and that is why he stood up.

The debate in statehouses across America—Wisconsin, Ohio, and in other places—is about collective bargaining, but it is really about rights, opportunities, and the future of the middle class. The American middle class, as Senator COONS pointed out, didn't happen by chance. Those aspiring to the middle class had to work hard and play by the rules in order to enter it. The middle class was created after people worked together to demand a minimum wage, safe workplaces, pensions, Social Security, and basic fairness. The middle class, in many ways in this country, was a direct outgrowth of the passage in this body some 70-plus years ago of collective bargaining—the right of both private-sector workers, then later public-sector workers, to organize and bargain collectively.

Last fall we heard many of the Republican winners of elections in my State, and I think across the country, talk about the loss of jobs—the job loss that began during the Bush administration. When President Obama took office, we were losing 700,000 jobs a month. We are now beginning to gain jobs, and have done that the last 12 or 13 months, especially in manufacturing. We know manufacturing jobs create a middle class. But after winning these elections last fall in my State, instead of focusing on jobs, as they did during the election, too many politicians are governing by ideology and seeking to settle old scores. At a time when the middle class is struggling more than at any time in my lifetime, when workers are seeing their productivity going up and up and up but seeing their wages flatten or even seeing their hours cut back, American

families are burdened by new attacks on their rights.

About a month and a half ago, at a roundtable held in an Episcopal church on the statehouse square in Columbus, I was listening to nurses, teachers, police officers, and other public employees. I had heard from conservative politicians who wanted to cut off collective bargaining rights, to take those rights away, and those people making accusations that these firefighters and police officers and teachers were lazy, overpaid, had too much time off, had pensions that were too big, had health care benefits that were too generous. But as I was hearing all that from critics, I was listening one on one to these public employees.

A young teacher, who had been teaching only about 10 years, told me that when she goes to the bargaining table, she doesn't just talk about wages and benefits but that she is negotiating for smaller class sizes as well. A police officer I talked to wasn't just talking about pensions and pay, he was negotiating for a bulletproof vest for him and his men and women colleagues who were also police officers.

So these negotiations are not just for more money, more public dollars spent on behalf of these police, firefighters, teachers, and nurses; they are also about helping society, improving society, expanding on the middle class.

It is clear those attacking collective bargaining are more interested in taking rights away than creating jobs. It is clear in Ohio. The bill that passed the House of Representatives would give Ohio the most restrictive voter regulation laws in the Nation that they would seek to limit our basic freedoms—restrict worker rights, restrict the right to vote, cut back on women's rights. Perhaps I am missing something, but how does that have anything to do with creating jobs and strengthening our economy?

Let me, for a couple of moments, put a human face on all of this.

I have a friend who is a firefighter named George, in Willoughby, OH. He wrote me this letter right after the Governor signed this legislation taking away his rights, taking away bargaining rights for a huge number of police officers and firefighters and teachers and health care workers and nurses and others. He said:

I joined my proud profession knowing I would never be rich. I truly joined knowing I would be helping people. I joined knowing I would be able to raise a family. I joined knowing I would have a pension in the end.

As a 21-year-old kid entering this profession, I weighed heavily on the "helping people" and the pure excitement of the job. Now, as a 41-year-old firefighter who has been beaten down both physically and emotionally, I will admit my pension now plays a role, is my driving force to go to work every day.

I have always been the firefighter who the bosses look to when a task needs doing.

I will soon be a 42-year-old firefighter in my 21st year of service. I am virtually 6.5 years from being able to retire. This job has torn up my knees, requiring surgery to one of them.

This job has injured my back on several occasions, twice requiring extensive time off to rehab. I am doing everything possible to avoid surgery.

This job has caused memories that will stick with me for the rest of my life, the kind of memories that make you go home and hug your wife and kids and thank God that they are safe.

I mention all this because, as you know, we as public servants are being attacked in Ohio. We are being attacked in our profession as well as our retirement. Our fundamental rights and the foundation of our profession are being attacked. Collective bargaining is the only way we have been able to improve safety as well as maintain a quality of life for our families. This system protects both the taxpayer and the public servant from leaders on both sides who choose to rule with an iron fist.

I am now one of our beat-up senior firefighters who is rapidly approaching retirement age. Where do threats of pension changes leave me or the many others like me if I am unable to finish my years of service due to injury? Where do those threats of pension changes leave me if my employer decides it is "fiscally responsible" to lay off higher-paid beat-up senior firefighters to keep lower-paid younger fighters?

I will get back to the letter in a second, but my understanding is, under the legislation that Governor Kasich signed, management, then, would be able to say: This firefighter is more likely to get hurt. He is older and gets paid more, so we will lay off five of them in their forties and keep the younger ones. It is just too bad they are not going to have enough years to retire.

That is what taking away collective bargaining rights, that is what busting the union for these firefighters or police officers or teachers or nurses can do.

Back to the letter:

In Willoughby, due to economic conditions, we have not replaced firefighters who have died or retired. In 1990 we ran 2,100 incidents per year. In 2010 we ran just under 5,000 incidents.

In 20 years it went from 2,100 runs to 5,000 runs.

I am sure we are not the only city that continues to operate understaffed with higher volumes.

I consider myself a moderate when it comes to politics. I have always voted for those who support me as a public servant. That is what true public servants do.

That was George, a firefighter in Lake County, OH, in Willoughby, just east of Cleveland.

Again, this is not just about collective bargaining. It is what we want our country to be. Dr. King, whom we honor, who was assassinated 43 years ago today—Dr. King delivered the 1965 commencement address at Antioch College, in Yellow Springs, OH, where Coretta Scott attended many years before. On the moral question of confronting poverty, Dr. King said:

There is no deficit in human resources. The deficit is in human will.

Yes, we all care about budget deficits. We know we need to move toward a balanced budget. We know our first focus needs to be creating jobs. We

want to invest smartly and cut wisely, but we also care about the education deficit. We care about the infrastructure deficit. We care about disparities in education and health care based on class and race and gender. We care about the lack of economic mobility for millions of Americans in underserved urban areas and underserved rural Appalachian areas, like much of the Presiding Officer's State which borders an underserved rural area in my State. We care about these deficits in our Nation. But what is greater is our deficit in the lack of will to close them.

The question becomes, then, Do we have the will to do what is right? Do we have the will to fight back in Ohio when the Governor and legislature have eliminated collective bargaining, now effective in 90 days? Do we have the will to fight for the middle class? Do we have the will to strengthen our country as we cut the budget to move toward a balanced budget but not cut what matters for a productive, strong middle class, for middle-class Americans, and for all those people in Ohio and West Virginia and around this country who aspire to join the middle class?

I yield the floor.

ROCKCASTLE HIGH SCHOOL LADY ROCKETS

Mr. McCONNELL. Mr. President, I rise to recognize the remarkable accomplishments of one of Kentucky's most impressive athletic teams, the Rockcastle High School Lady Rockets basketball team. This March 12, the Lady Rockets triumphed over the DuPont Manual Lady Crimsons in overtime, 62 to 60, to win the school's first Kentucky High School Athletic Association Sweet 16 girls basketball championship.

It has been an unforgettable season for the Lady Rockets, who finished the year 36-1, on a 27-game winning streak, and undefeated by any fellow Kentucky team. They entered the final tournament game knowing they faced an experienced and competitive opponent, but that their raw talent and determination would show the people of the Bluegrass State that they had something to prove. Well, prove something they did: After clawing their way back from a nine-point deficit to tie it and send the game into overtime, the Lady Rockets never trailed during the extra minutes.

Senior Sara Hammond, named the tournament's Most Valuable Player, the State's first McDonald's All American, and Kentucky's Miss Basketball 2011, posted 26 points and 11 rebounds during the game. It all came down to the final seconds of overtime when Lady Rockets head coach Chrysti Noble decided not to call a time out and trusted her players to finish the game with the right shot. Senior Angie Lawrence took a buzzer-beating jumper to give the Lady Rockets the title.

Streamers and confetti hailed from the rafters, blanketing the team and the record number of 5,122 screaming spectators at E.A. Diddle Arena in Bowling Green, KY.

Their victory was the first championship title for coach Chrysti Noble in her 21 seasons at Rockcastle High School. It also made the Lady Rockets the first team not from Lexington or Louisville to win the girls' basketball State championship in more than a decade.

The students and faculty of Rockcastle High School, the community of Mount Vernon and the entire Commonwealth couldn't be more proud of this talented, winning team. The Sunday after winning the championship, the equivalent of one-fifth of the population of Mount Vernon turned out to wish the Lady Rockets well as the team members rode through town atop three fire engines, a convoy of honking vehicles and jubilant fans following behind. Their hard work, dedication and respect for one another undoubtedly makes them a team that will be remembered for years to come.

Mr. President, the Louisville Courier-Journal recently published an article about the Rockcastle High School Lady Rockets' history-making season and what the championship meant to the team, the school and the Commonwealth. I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Courier-Journal, Mar. 13, 2011]

GIRLS' SWEET 16 ROCKCASTLE COUNTY BEATS MANUAL 62-60 FOR TITLE ON LAST-SECOND SHOT

(By Jason Frakes)

BOWLING GREEN, KY—The knock all season on the Rockcastle County High School girls' basketball team was that it's a one-woman squad, led by McDonald's All American Sara Hammond.

The Lady Rockets now have a state championship trophy to prove that never was the case.

Angie Lawrence nailed a jumper in the lane with 1 second left in overtime to give Rockcastle County a 62-60 victory over Manual in the final of the Houchens/KHSAA Sweet 16.

A state final-record crowd of 5,122 at E.A. Diddle Arena saw Rockcastle County capture its first state championship and end a 10-year reign of title winners from either Louisville or Lexington. West Carter (2000) was the last school not from either of Kentucky's largest cities to win the crown.

"This is the best feeling ever," said Hammond, a University of Louisville signee who was named the Sweet 16 MVP. "I knew we were going to get it done tonight."

The 6-foot-2 Hammond posted 26 points and 11 rebounds to lead the Lady Rockets (36-1), who finished the season with a 27-game winning streak and lost only to Mount Juliet (Tenn.) 60-47 on Dec. 30.

Lawrence, a 5-5 senior who has signed with Georgetown College, added 18 points.

LeAsia Wright had 19 points and Kara Wright 12 for Manual (33-5), which was No. 1 in the state in The Courier-Journal's Litkenhous Ratings all season.

"Our best wasn't good enough to win the game, but it's good enough for me," Lady

Crimsons coach Stacy Pendleton said. "They just beat us. We played as hard as we could."

Manual led 37-28 early in the third quarter, but Rockcastle County charged back and eventually tied it at 47 on a Lawrence three-pointer with 5:07 left in the fourth.

Hammond scored 19 points in the first half, but it was Lawrence who carried the Lady Rockets late with 15 points after the break.

"Their other kids really stepped up in the second half," Pendleton said. "But if it wasn't for (Hammond) in the first half, I think we could have blown them out."

Lawrence sank two free throws with 27.5 seconds left for a 55-53 lead, but Kayla Styles' basket with 2 seconds left tied it and forced overtime.

The Lady Rockets never trailed in the extra period and led 60-58 after Michaela Hunter's free throw with 1:22 left. Kara Wright tied it at 60 on a jumper with 56 seconds left, and Rockcastle County held for the final shot.

Lady Rockets coach Chrysti Noble chose not to call a timeout.

"They're experienced, and they've been here," she said. "I was like, 'No, let them go. Let them determine the outcome of the ballgame.' They did."

Lawrence drove to the lane and nailed her jumper from the right elbow.

"I was feeling it," Lawrence said. "It was a terrible-looking shot, but I had faith in myself. I knew I would hit it."

Hammond said there was a bit of confusion in the final minute.

"I kept asking, 'What offense are you running? What offense are you running?'" Hammond said. "(Lawrence) had that look in her eye that she was taking it to the hole. She's done that over and over again. We knew it was in her heart, and we trusted her for that shot."

Manual called a timeout with 0.5 second left but couldn't get a final shot.

Pendleton was left to wonder what might have been with junior guard April Wilson out since the regional final with a broken hand. He also had two seniors foul out in the final—Raven Hester with 1:29 left in regulation and Michael Guess at the 2:49 mark of overtime.

"To do all of this without April is amazing," Pendleton said. "That shows you how great this team is. . . . Michael fouling out was a huge problem, huge. You take away our No. 1 scoring punch and rebounding. That was a huge blow."

For Rockcastle County it was a huge win and gave the 12th Region its first state champion since Laurel County in 1991.

Noble, in her 21st season at Rockcastle County, said the victory was important for the school of 910 students and the community of Mount Vernon.

"It's so good to know there's something good from Rockcastle County instead of hearing all the bad stuff," she said. "There are a lot of good things that happen in our community. . . ."

"When you come through Rockcastle you'll get to see a sign up. I hope, that says, 'Welcome to Rockcastle County, 2011 state champions of girls' basketball.'"

SAM HOUSTON'S WALKING STICK

Mr. ALEXANDER. Mr. President, on Friday, I spoke at the Ladies Hermitage Association's Annual banquet in Nashville. This extraordinary organization, for 122 years, has preserved the home of President Andrew Jackson. No former President's home has more historical objects from a President's life than does the Hermitage. I ask unani-

mous consent that my remarks be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

I am honored to accept the Lewis R. Donelson III award, but in truth, the only appropriate person to receive the award is Lewis R. Donelson himself. Lewie is a remarkable individual. He will be 94 years of age in October. Two years ago, he shot a hole in one and he regularly shoots his age in golf. His doctor can find nothing physically wrong with him and he takes no medicine. I am convinced the only appropriate next step for Lewie is to put him into the Smithsonian.

No other family's thread runs so proudly through Tennessee's history, from John Donelson's river trip to Nashville in 1779 to Andrew Jackson's marriage to John's daughter, Rachel, to Lewie's life of distinguished public service. Thank you to the Ladies Hermitage Association for your remarkable work preserving Andrew Jackson's home.

I was sworn in as Governor of Tennessee three days early, on January 17, 1979. I did this at the request of the U.S. Attorney in order to prevent the incumbent governor from issuing pardons to prisoners whom the FBI believed had paid cash for their release. Lewis Donelson offered the prayer at that surprise inauguration ceremony. One of my first acts as governor was to direct Lewie to take charge of, and secure, the state capitol. Someone said, "Lewie has been waiting his whole life for someone to ask him to do that."

Lewis Donelson was my first appointee because I knew that if he agreed to be the chief operating officer of state government, it would help to recruit others during a time of a crisis in confidence.

Lewie's negotiating style became well known around the Capitol. He would knock you to the floor with his first offer. By the time you had gotten halfway back up you would have agreed with him and considered that a success.

About the only thing I was ever able to tell Lewie to do was to stop driving his car to the Capitol while reading a newspaper, and he only stopped that after he ran into the back of another car.

Alex Haley once told me, "Lamar, if you would say, 'let me tell you a story' instead of making a speech, people might actually listen to what you have to say." So, tonight, let me tell you the story of Andrew Jackson and Sam Houston's Walking Stick.

The setting for this story is the first half of the 19th century. Tennessee was then the fifth most populous state. This was the West. There were three Tennessee presidents—Jackson, Polk and Johnson—and two who aspired to be President: Davy Crockett and Sam Houston.

The political competition was intense. In 1834, Andrew Jackson's forces defeated the young congressman from West Tennessee, David Crockett, who then rode his horse to the courthouse steps and said to the assembled crowd what defeated politicians have always wanted to say to such voters, "I'm going to Texas and you can go to hell."

The two-party competition of that era produced strong leaders just as the reemergence of a two party system during the last half-century has sent Tennesseans to national positions from Vice President and Senate Majority Leader to Cabinet membership. There have, as yet, been no more presidents, although there have been regular attempts.

In 1807, when Thomas Jefferson was president, the widow Elizabeth Paxson Houston, aged 50, loaded six sons and three daughters into two wagons and moved from Virginia to

a 419-acre farm near Maryville, Tennessee, that her husband had purchased before his death. Of her fifth son Sam, who was then 14 years old, the widow Houston said, "I had no hope for him. He was so wild."

The Houston farm lay on the border of the Cherokee Nation. Sam found the life of a young Indian man more appealing than working in the family store, so at 16 he ran away from home to live with the Indians and became known by a Cherokee name, Raven.

By 1813, the War of 1812 was in full swing. In Maryville, Sam took a silver dollar from the recruiter's drumhead and enlisted. In February of 1814, his regiment received a call to go to the aid of General Andrew Jackson at Horseshoe bend in Alabama. For the next 31 years, Sam Houston was a friend and protégé of Andrew Jackson.

Jackson taught Houston how to fight a duel. In 1823, he helped Houston be elected to the U.S. House of Representatives. The next year Houston helped Jackson in his unsuccessful bid for the presidency. With Jackson's help Houston became governor of Tennessee in 1827.

With Houston's help, Jackson was elected president in 1828. One biographer of Houston said that for Houston "to be governor of Tennessee with Old Hickory in the White House was as close to being the Prince of Wales as American blood could approach. Houston was the all-but-anointed heir of the most popular president since Washington himself."

A local judge wrote at the time "Houston stood six-foot-six in his socks, was of fine contour, a remarkable well-proportioned man, and of commanding and gallant bearing. He enjoyed unbounded popularity among the men and was a great favorite with the ladies."

As governor, Houston often visited the Hermitage, sometimes picking flowers in Rachel Jackson's garden. He was chief pallbearer when Rachel died on Christmas Eve of 1828, just after Jackson's election to the Presidency. The next month Governor Houston, then 36 years of age, married Eliza Allen of Gallatin, who was 18. In March, Jackson became President. A month later, on April 16, 1829, distraught over some still unexplained trouble with Eliza, Houston resigned the governorship and went to live with his old friends, the Indians who by then had moved west. He married again and made his way to Texas in 1832.

We all know that the great story of Sam Houston and Texas. But the story I would like to complete here tonight is of Sam Houston's walking stick and Andrew Jackson's death.

In March of 1845, President Tyler dispatched Andrew Jackson Donelson to Texas to try to persuade Sam Houston to support the annexation of Texas by the United States. Donelson was the nephew of Rachel Donelson. He had served as President Jackson's private secretary and in 1856 was nominated to run for the vice presidency of the United States. He lived in the plantation near the Hermitage, called Tulip Grove.

Upon reaching Texas, Andrew Jackson Donelson wrote, "Tell Uncle that Houston has disappointed me and not given the annexation question the support I expected." Houston had kept people guessing about whether he favored allowing Texas to remain an independent country, as British emissaries were arguing. According to one officer of the Texas Navy, "When [Houston] was sober he was for annexation but when he was drunk he would express himself strongly against the measure."

The next month, in April of 1845, Houston, his wife Margaret, and their two-year-old son Sam began a trip from Texas to New Orleans and up the Mississippi River to see 78-year-old Andrew Jackson, who was dying at the

Hermitage. According to one biographer, during those last hours Jackson was talking of his farm, his business, his country, and of the annexation of Texas, and especially of recent comments by Houston which had convinced Jackson that annexation would occur. In one of his last letters to Donelson, Andrew Jackson wrote, "I knew British gold could not buy Sam Houston."

The Houstons' river passage was delayed when their steamboat ran aground. Finally, at about 6 p.m. on Sunday, June 8, 1845, the steamboat tied up at the Nashville landing on the Cumberland River. The Houstons were told that Jackson was near death. They hired a coach to race to the Hermitage. A few miles outside Nashville their coach met the Jackson family physician. He told them that Jackson had died at about the same time the Houstons had arrived in Nashville. Proceeding on to the Hermitage, Houston lifted his two-year-old son and said, "Try to remember that you have looked upon the face of Andrew Jackson." Houston then put his head on Jackson's chest and wept. At midnight he wrote to President Polk, "I have seen the corpse. The visage is much as it was in life."

The Houstons were guests at the Donelson plantation, Tulip Grove, for several days after Jackson's death. Houston led the funeral cortege as he had as governor when Rachel Jackson died. When Houston left Nashville to travel to Texas, he left his walking stick at Tulip Grove. It is made of mulberry wood and has a solid gold cap. The stick is split and has been glued together, which may have been the reason Houston left it.

How do we know this stick was Houston's stick?

For one thing, the words "Sam Houston" and "Texas" and a Lone Star are engraved on the gold cap.

For another, we know from photographs and historical accounts that Houston carried walking sticks. We also know that he knew how to use his stick. In March of 1832, while visiting Washington, DC, Houston encountered Congressman Stanberry from Ohio who had criticized the Jackson Indian policy. Houston confronted Stanberry and said, "You are a damned rascal!" and whacked him multiple times over the head with his hickory cane, cut from the grounds of the Hermitage.

Fortunately, we know about the provenance of Sam Houston's walking stick from Stanley Horn, the former Tennessee state historian, and Dr. Ben Caldwell. Both Mr. Horn and Dr. Caldwell once owned this stick. Dr. Caldwell is here tonight.

Here is what affidavits and letters from Mr. Horn and Dr. Caldwell tell us: Andrew Jackson Donelson, the owner of Tulip Grove, where Houston left his walking stick, had married a widow of the grandson of Thomas Jefferson. Their son, William Alexander Donelson, inherited many of their Jefferson and Jackson items, including the stick. Some of these items, including the stick, were exhibited at Tennessee's 1896 centennial celebration. This exhibit was mentioned in a Nashville newspaper article in 1927.

When William Alexander Donelson died these Jackson and Jefferson relics were inherited by his widow, known as "Miss Bettie." In a letter to Ben Caldwell on June 15, 1976, Mr. Horn wrote, "I knew her several years before her death in 1940. [She] told me the details of how the cane was split, etc. I bought the cane at the sale of her effects after her death, and had the slight break repaired; and it remained in my possession until I sold it to you."

Mr. Horn sold the stick to Dr. Caldwell and Baker Duncan of San Antonio in 1973.

In a letter to me in 1985 Dr. Caldwell said, "Mr. Horn proudly displayed the stick in his

home. The only way that Baker Duncan and I were able to purchase the walking stick from Mr. Horn was a purchase-swap. He was collecting books containing presidential notations that were in the presidents' personal library. He had a book [of every President] except that he did not have a book of John F. Kennedy's library as he had opposed President Kennedy and he did not want to pay a premium for one of his books . . . I purchased a book that formerly belonged to John F. Kennedy . . . and we were able to trade this with money to Mr. Horn for his walking stick."

Ben Caldwell also told me last year:

"Mr. Horn had offered the stick to the San Jacinto Museum in Texas but they gave him some rigamarole and he said 'to hell with it' and so Baker Duncan and I bought the stick from him."

In 1985, I bought Sam Houston's walking stick from Ben Caldwell and Baker Duncan. Ben said it would be appropriate for the second Tennessee governor from Blount County to own the walking stick of the first. So he arranged a three-way purchase swap that worked this way: I paid money to Mr. Horn's daughter, Ruth Crownover, for a sword that belonged to General Stonewall Jackson and then traded that sword to Baker Duncan for his half of the Houston stick. I also paid Mrs. Crownover for a bird bath sculpted by Will Edmondson and then traded that to Ben for his half of the cane.

I then gave the stick to our youngest son, Will Houston Alexander, who we named for Sam Houston. When Will was born in 1979, Honey said that I was "in my Sam Houston phase." The lure of Texas also attracted Will. He spent seven years at the University of Texas and its law school but now is living in Nashville. We are glad that he is here tonight.

I have since displayed Sam Houston's walking stick in the offices of Tennessee's governor, the president of the University of Tennessee, and the U.S. Secretary of Education. The story of the stick has always produced good conversation, as well as several attempts by Texans to run off with it.

For the last eight years, Sam Houston's walking stick has been displayed in my United States Senate office in Washington, DC. It is beneath a photograph of Sam Houston taken when he was United States Senator from Texas. In that photograph Senator Houston is standing with a walking stick much like the one he left in Nashville 166 years ago when Andrew Jackson died.

ADDITIONAL STATEMENTS

TRIBUTE TO TIM CREAL

● Mr. JOHNSON of South Dakota. Mr. President, today I wish to recognize and honor a South Dakotan who has been a tremendous advocate for rural education and has shown selfless dedication to ensuring thousands of students in South Dakota achieved their highest academic potential.

At the close of this school year, Dr. Tim Creal will retire from the Custer School District, where he has served as superintendent for 10 years. Tim began his career as an educator in the Faith School District in 1979. After teaching in Faith, SD, he spent nearly 20 years with the New Underwood School District, working first as a high school math teacher and coach for 10 years. He then served as an elementary principal, special education director, and

superintendent for the school district. In 2001, Tim moved to Custer, SD, to serve as the superintendent for the Custer School District.

Tim earned his bachelor's degree in mathematics education at Black Hills State University, BHSU, a university known for its exceptional education program. Last year, Tim was honored with the BHSU Excellence in Education Alumni Award, which is an award to honor an alumnus' outstanding contributions to the field of education.

Tim is a national leader and advocate for rural education. In 2001, Senator Tom Daschle appointed him to the Forest Counties Payments Committee, where Tim served for 7 years and helped oversee the implementation of the Secure Rural Schools and Community Self-Determination Act. Tim currently is on the board of the National Forest Counties and Schools Coalition. Additionally, Tim is actively involved with the Impact Aid Program and serves as secretary of the Section 8002 Federal property group for the National Association of Federally Impacted Schools, NAFIS. As a founder of the Senate Impact Aid Caucus, I have appreciated working with Tim to ensure children living in rural areas and enrolled in federally impacted schools receive a high-quality education.

Over the years, I have enjoyed working closely with Tim on issues of great importance to education in South Dakota and have greatly valued Tim's insight and expertise. I commend Tim for his stewardship and involvement with the Secure Rural Schools and Impact Aid programs. Tim is currently in Washington, DC, for the annual spring NAFIS conference, and I would like to take this opportunity to thank him for his service to our State and Nation. As Tim prepares to retire from the Custer School District, I wish him, as well as his wife Darla, all the very best. I am deeply appreciative of Tim's years of service to students in South Dakota and for helping prepare our State's next generation of leaders.●

TRIBUTE TO FRANK SEILER

● Mr. JOHNSON of South Dakota. Mr. President, today I offer my heartfelt congratulations to a South Dakotan who has dedicated his life to educating students in my State.

At the close of this school year, Frank Seiler will retire as superintendent of the Timber Lake School District, concluding a nearly 50-year career as an educator in South Dakota. Frank began teaching in North Dakota in 1964. In 1967, he moved to Kadoka, SD, to serve as the high school principal and coach before moving to McIntosh, where he served as superintendent for 15 years. In 1991, Frank took over as superintendent of the Timber Lake School District, where he has worked for 20 years.

Frank has been involved with the National Association of Federally Impacted Schools, NAFIS, since 1975. As one of the founders of the Senate Im-

pact Aid Caucus, I am deeply appreciative of Frank's leadership in the Impact Aid community and for his responsible administering of the Impact Aid Program in the school districts where he has worked. In May 2010, I was pleased to announce that the Timber Lake School District would receive a \$5 million grant from the American Recovery and Reinvestment Act, known to many as the economic stimulus package, so that the community could replace its existing high school facility. Frank has shown tremendous leadership in helping make the dream of a new school become a reality.

Over the years, Frank has served as a tremendous advocate for his school district and for the importance of a strong education system. My staff and I have greatly valued Frank's insight and expertise over the years. It has been my pleasure working with him to ensure that the many children in South Dakota living in rural and federally impacted schools receive a quality education.

On the occasion of his retirement from the Timber Lake School District, I congratulate and thank Frank for his service as an educator and mentor to thousands of students in South Dakota. He has truly been an inspiration to many of his friends and colleagues. As Impact Aid leaders from across our country gather this week for the annual NAFIS conference, I want to take the time to recognize Frank for responsible management of the Impact Aid Program. On behalf of all South Dakotans, I thank Frank for his years of tireless dedication to students in our State and for the lasting legacy he leaves. I also thank his wife Donna for her continued support. I wish them both a happy and healthy retirement.●

MESSAGES FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, 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. 872. An act to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes.

H.R. 1255. An act to prevent a shutdown of the government of the United States, and for other purposes.

At 2:46 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 658. An act to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 872. An act to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 706. A bill to stimulate the economy, produce domestic energy, and create jobs at no cost to the taxpayers, and without borrowing money from foreign governments for which our children and grandchildren will be responsible, and for other purposes.

H.R. 471. An act to reauthorize the DC opportunity scholarship program, 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-1138. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Part 95 Instrument Flight Rules; Amdt. 492" ((RIN2120-AA63)(Docket No. 30769)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1139. 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; Airbus Model A330-243F Airplanes" ((RIN2120-AA64)(Docket No. FAA-2011-0156)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1140. 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; EUROCOPTER FRANCE Model SA330F, SA330G, and SA330J Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0891)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1141. 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; Eclipse Aerospace, Inc. Model EA500 Airplanes Equipped with a Pratt and Whitney Canada, Corp. (PWC) PW610F-A Engine" ((RIN2120-AA64)(Docket No. FAA-2011-0199)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1142. 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; Bell Helicopter Textron Canada Limited

Model 427 Helicopters” ((RIN2120-AA64)(Docket No. FAA-2010-0866)) received in the Office of the President of the Senate on February 25, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1143. 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; Bell Helicopter Textron Canada Limited (BHTC) Model 206A, 206B, 206L, 206L-1, 206L-3, 206L-4, 222, 222B, 222U, 230, 407, 427, and 430 Helicopters” ((RIN2120-AA64)(Docket No. FAA-2011-0079)) received in the Office of the President of the Senate on February 25, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1144. 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; Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 and 440) Airplanes” ((RIN2120-AA64)(Docket No. FAA-2010-1039)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1145. 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; Turbomeca Model Arriel 1E2, 1S, and 1S1 Turboshaft Engines” ((RIN2120-AA64)(Docket No. FAA-2011-0141)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1146. 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; Airbus Model A330-200 and -300 Series Airplanes and Model A340-200, -300, -500, and -600 Series Airplanes” ((RIN2120-AA64)(Docket No. FAA-2010-0859)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1147. 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; Rolls-Royce plc RB211-Trent 768, 772, and 772B Turbofan Engines” ((RIN2120-AA64)(Docket No. FAA-2010-0960)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1148. 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 757 Airplanes” ((RIN2120-AA64)(Docket No. FAA-2010-0698)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1149. 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; Eurocopter France (Eurocopter) Model EC130 B4 Helicopters” ((RIN2120-AA64)(Docket No. FAA-2011-0212)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1150. 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; Thielert Aircraft Engines GmbH Models TAE 125-02-99 and TAE 125-02-114 Reciprocating Engines” ((RIN2120-AA64)(Docket No. FAA-2010-0892)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1151. 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 737-300, -400, and -500 Series Airplanes” ((RIN2120-AA64)(Docket No. FAA-2010-0379)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1152. 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; Rolls-Royce plc RB211-Trent 768, 772, and 772B Turbofan Engines” ((RIN2120-AA64)(Docket No. FAA-2010-0960)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1153. 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; PIAGGIO AERO INDUSTRIES S.p.A Model PIAGGIO P-180 Airplanes” ((RIN2120-AA64)(Docket No. FAA-2010-1099)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1154. 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 777-200, -200LR, -300, and -300ER Series Airplanes” ((RIN2120-AA64)(Docket No. FAA-2010-1156)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1155. 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; Bombardier, Inc. Model DHC-8-400 Series Airplanes” ((RIN2120-AA64)(Docket No. FAA-2011-0154)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1156. 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 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747SR, and 747SP Series” ((RIN2120-AA64)(Docket No. FAA-2010-0679)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1157. 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; Saab AB, Saab Aerosystems Model SAAB 2000 Airplanes” ((RIN2120-AA64)(Docket No. FAA-2010-1198)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1158. A communication from the Senior Program Analyst, Federal Aviation Adminis-

tration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; BAE Systems (Operations) Limited Model ATP Airplanes; BAE SYSTEMS (Operations) Limited Model HS 748 Airplanes” ((RIN2120-AA64)(Docket No. FAA-2011-0150)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1159. 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; Eurocopter France Model AS-365N2, AS-365N3, and SA-365N1 Helicopters” ((RIN2120-AA64)(Docket No. FAA-2010-0781)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1160. 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; APEX Aircraft Model CAP 10 B Airplanes” ((RIN2120-AA64)(Docket No. FAA-2010-1296)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1161. 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; Allied Ag Cat Productions, Inc. Models G-164, G-164A, G-164B, G-164B with 73” Wing Gap, G-164B-15T, G-164B-34T, G-164B-20T, G-164C, G-164D, and G-164D with 73” Wing Gap Airplanes” ((RIN2120-AA64)(Docket No. FAA-2011-0149)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1162. 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; Pratt and Whitney JT8D-209, -217, -217A, -217C, and -219 Turbofan Engines” ((RIN2120-AA64)(Docket No. FAA-2010-0594)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1163. 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; Learjet Inc. Model 45 Airplanes” ((RIN2120-AA64)(Docket No. FAA-2010-0951)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1164. 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; Viking Air Limited (Type Certificate No. A-815 Formerly Held by Bombardier Inc. and de Havilland, Inc.) Model DHC-3 Airplanes” ((RIN2120-AA64)(Docket No. FAA-2010-1192)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1165. 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; Pratt and Whitney JT8D-209, -217, -217A, -217C, and -219 Turbofan Engines” ((RIN2120-AA64)(Docket No. FAA-2010-0594)) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1166. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Herring; Amendment 4" (RIN0648-AW75) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1167. A communication from the Deputy Assistant Administrator for Operations, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Hawaii Bottomfish and Seamount Groundfish Fisheries; Modification of Fishery Closures" (RIN0648-BA58) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1168. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Halibut Fisheries; Catch Sharing Plan" (RIN0648-BA25) received in the Office of the President of the Senate on March 31, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1169. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish (MSB) Fishery, Revision of 2011 Butterfish Specifications" (RIN0648-BA86) received in the Office of the President of the Senate on March 31, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1170. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 Feet (18.3 m) Length Overall Using Hook-and-Line or Pot Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XA279) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1171. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska" (RIN0648-XA294) received in the Office of the President of the Senate on March 31, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1172. A communication from the Assistant Secretary of the Navy (Financial Management and Comptroller), Department of Defense, transmitting, pursuant to law, a report relative to meals sold by messes for the United States Navy and Naval Auxiliary vessels; to the Committee on Armed Services.

EC-1173. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Benjamin R. Mixon, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-1174. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Federal Home Loan Bank Liabilities" (RIN2590-AA36) received during adjournment of the Senate in the Office of the President of the Senate on April

1, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1175. A communication from the Deputy to the Chairman, Legal Office, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Procedures for Monitoring Bank Secrecy Act Compliance and Fair Credit Reporting: Technical Amendments" (RIN3064-AD76) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1176. A communication from the Chairman, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the Council's 2010 Annual Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-1177. A communication from the Chief Human Capital Officer, Department of Energy, transmitting, pursuant to law, (4) four reports relative to vacancies in the Department of Energy, received in the Office of the President of the Senate on March 30, 2011; to the Committee on Energy and Natural Resources.

EC-1178. A communication from the Deputy General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Planning Resource Adequacy Assessment Reliability Standard" ((RIN1902-AE15)(Docket No. RM10-10-000)) received in the Office of the President of the Senate on March 31, 2011; to the Committee on Energy and Natural Resources.

EC-1179. A communication from the Chief of the Recovery and Delisting Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Removal of *Erigeron maguirei* (Maguire Daisy) from the Federal List of Endangered and Threatened Plants; Availability of Final Post-Delisting Monitoring Plan" (RIN1018-AU67) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2011; to the Committee on Environment and Public Works.

EC-1180. A communication from the Chief of the Recovery and Delisting Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Reclassification of the Okaloosa Darter from Endangered to Threatened and Special Rule" (RIN1018-AW95) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2011; to the Committee on Environment and Public Works.

EC-1181. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for *Carex lutea* (Golden Sedge)" (RIN1018-AW55) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2011; to the Committee on Environment and Public Works.

EC-1182. A communication from the Acting Chair of the Federal Subsistence Board, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Subsistence Management Regulations for Public Lands in Alaska—2011-12 and 2012-13 Subsistence Taking of Fish and Shellfish Regulations" (RIN1018-AW71) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2011; to the Committee on Environment and Public Works.

EC-1183. A communication from the Director of Congressional Affairs, Nuclear Regu-

latory Commission, transmitting, pursuant to law, the report of a rule entitled "List of Approved Spent Fuel Storage Casks: HISTORM Flood/Wind Addition" (RIN3150-AI90) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2011; to the Committee on Environment and Public Works.

EC-1184. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Withdrawal of Regulatory Guide 8.5, 'Criticality and Other Interior Evacuation Signals'" (Regulatory Guide 8.5) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2011; to the Committee on Environment and Public Works.

EC-1185. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Control of Electroslag Weld Properties" (Regulatory Guide 1.34, Revision 1) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Environment and Public Works.

EC-1186. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Control of Stainless Steel Weld Cladding of Low-Alloy Steel Components" (Regulatory Guide 1.43, Revision 1) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Environment and Public Works.

EC-1187. 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 "Specified Tax Return Preparers Required to File Individual Income Tax Returns Using Magnetic Media" (RIN1545-BJ52) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Finance.

EC-1188. A communication from the Director, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Extension of Sunset Date for Attorney Advisor Program" (RIN0960-AH05) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Finance.

EC-1189. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to quality improvement and savings under the Medicare Hospital Gainsharing Demonstration; to the Committee on Finance.

EC-1190. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the issuance of a determination to waive certain restrictions on maintaining a Palestine Liberation Organization (PLO) Office in Washington and on the receipt and expenditure of PLO funds for a period of six months; to the Committee on Foreign Relations.

EC-1191. A communication from the Employee Benefits Law Specialist, Office of Exemption Determinations, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Amendment to Prohibited Transaction Exemption (PTE) 96-23 for Plan Asset Transactions Determined by In-House Asset Managers" (RIN1210-ZA09) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-1192. A communication from the Acting Assistant General Counsel for Regulatory Service, Office of the Chief Financial Officer, Department of Education, transmitting, pursuant to law, the report of a rule entitled

"Department of Education Acquisition Regulation" (RIN1890-AA16) received in the Office of the President of the Senate on March 31, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-1193. A communication from the Deputy Director for Operations, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Parts 4022 and 4044) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-1194. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-51; Introduction" (FAC 2005-51) received in the Office of the President of the Senate on March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-1195. A joint communication from the Chairman and Acting General Counsel of the National Labor Relations Board, transmitting, pursuant to law, an annual report relative to acquisitions made from entities that manufacture articles, materials, or supplies outside of the United States; to the Committee on Homeland Security and Governmental Affairs.

EC-1196. A communication from the Chairman, Merit System Protection Board, transmitting, pursuant to law, a report relative to the Board's Strategic Plan for Fiscal Years 2012-2016; to the Committee on Homeland Security and Governmental Affairs.

EC-1197. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, an annual report relative to Federal sector equal employment opportunity complaints filed with the Office during fiscal year 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-1198. A communication from the Chairman of the Federal Deposit Insurance Corporation, transmitting, pursuant to law, a report relative to the No FEAR Act for fiscal year 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-1199. A communication from the Human Resources Specialist, Office of the Executive Director, Office of Navajo and Hopi Indian Relocation, transmitting, pursuant to law, a report relative to the No FEAR Act for fiscal year 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-1200. A communication from the Director of Equal Employment Opportunity, Securities and Exchange Commission, transmitting, pursuant to law, a report relative to the No FEAR Act for fiscal year 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-1201. A communication from the Associate Administrator for Legislative and Intergovernmental Affairs, National Aeronautics and Space Administration, transmitting, pursuant to law, a report relative to the No FEAR Act for fiscal year 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-1202. A communication from the Executive Vice President and Chief Human Resources Officer, U.S. Postal Services, transmitting, pursuant to law, a report relative to the No FEAR Act for fiscal year 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-1203. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Public-Private Development Project Compliance with Certified Business Enterprise Goals through Fiscal Year 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-1204. A communication from the Deputy General Counsel, Office of Business Development, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Size Regulations; 8(a) Business Development/Small Disadvantaged Business Status Determinations" (RIN3245-AF53) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Small Business and Entrepreneurship.

EC-1205. A communication from the Deputy General Counsel, Office of Size Standards, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business, Small Disadvantaged Business, HUBZone, and Service-Disabled Veteran-Owned Business Status Protest and Appeal Regulations" (RIN3245-AF65) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Small Business and Entrepreneurship.

EC-1206. A communication from the Deputy General Counsel, Office of Financial Assistance, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Jobs Act: 504 Loan Program Debt Refinancing" (RIN3245-AG17) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Small Business and Entrepreneurship.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. FEINSTEIN, from the Select Committee on Intelligence, without amendment:

S. 719. An original bill to authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 112-12).

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. BINGAMAN (for himself, Mr. WYDEN, Mr. UDALL of Colorado, and Mr. UDALL of New Mexico):

S. 714. A bill to reauthorize the Federal Land Transaction Facilitation Act, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LIEBERMAN (for himself and Mr. BLUMENTHAL):

S. 715. A bill to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects; to the Committee on Energy and Natural Resources.

By Mrs. SHAHEEN (for herself, Mr. BEGICH, Mr. KERRY, Mr. FRANKEN, Ms. KLOBUCHAR, Mr. COONS, and Mr. REID):

S. 716. A bill to establish within the Department of Education the Innovation Inspiration school grant program, and for other

purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER:

S. 717. A bill to establish an advisory committee to issue nonbinding governmentwide guidelines on making public information available on the Internet, to require publicly available Government information held by the executive branch to be made available on the Internet, to express the sense of Congress that publicly available information held by the legislative and judicial branches should be available on the Internet, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ROBERTS:

S. 718. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve the use of certain registered pesticides; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. FEINSTEIN:

S. 719. An original bill to authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; from the Select Committee on Intelligence; placed on the calendar.

By Mr. THUNE (for himself and Mr. GRAHAM):

S. 720. A bill to repeal the CLASS program; to the Committee on Finance.

By Mrs. HUTCHISON (for herself and Mr. INHOFE):

S. 721. A bill to appropriate such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, continue to receive pay and allowances for active service performed when a funding gap caused by the failure to enact interim or full-year appropriations for the Armed Forces occurs, which results in the furlough of non-emergency personnel and the curtailment of Government activities and services; to the Committee on Appropriations.

By Mr. WYDEN (for himself and Mr. ROBERTS):

S. 722. A bill to strengthen and protect Medicare hospice programs; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. COLLINS (for herself and Mr. KERRY):

S. Res. 127. A resolution designating April 2011 as "National Child Abuse Prevention Month"; to the Committee on the Judiciary.

By Mr. AKAKA (for himself, Ms. COLLINS, Mr. LIEBERMAN, Mr. LEVIN, Mr. CARPER, and Mr. LAUTENBERG):

S. Res. 128. A resolution expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the Nation during Public Service Recognition Week, May 1 through 7, 2011; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ROCKEFELLER (for himself, Mr. MANCHIN, Mr. HARKIN, Mr. ENZI, Mrs. MURRAY, and Mr. ISAKSON):

S. Res. 129. A resolution honoring the 29 coal miners who perished in the explosion at the Upper Big Branch Mine in Montcoal, West Virginia, on April 5, 2010, and remembering all those who have lost their lives while mining for the resources on which the United States relies; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 25

At the request of Mrs. SHAHEEN, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 25, a bill to phase out the Federal sugar program, and for other purposes.

S. 102

At the request of Mr. MCCAIN, the names of the Senator from North Carolina (Mr. BURR) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 102, a bill to provide an optional fast-track procedure the President may use when submitting rescission requests, and for other purposes.

S. 146

At the request of Mr. BAUCUS, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 146, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 164

At the request of Mr. BROWN of Massachusetts, the names of the Senator from Alaska (Mr. BEGICH), the Senator from Wyoming (Mr. ENZI) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 164, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 211

At the request of Mr. ISAKSON, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 211, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and performance of the Federal Government.

S. 222

At the request of Mr. WHITEHOUSE, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 222, a bill to limit investor and homeowner losses in foreclosures, and for other purposes.

S. 251

At the request of Mr. VITTER, the name of the Senator from Nebraska (Mr. JOHANNES) was added as a cosponsor of S. 251, a bill to prohibit the provision of Federal funds to State and local governments for payment of obligations, to prohibit the Board of Governors of the Federal Reserve System from financially assisting State and local governments, and for other purposes.

S. 275

At the request of Mr. LAUTENBERG, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 275, a bill to amend title 49, United States Code, to provide for enhanced safety and environmental protection in pipeline transportation, to provide for enhanced reliability in the transportation of the Nation's energy products by pipeline, and for other purposes.

S. 306

At the request of Mr. WEBB, the name of the Senator from Florida (Mr. NEL-

SON) was added as a cosponsor of S. 306, a bill to establish the National Criminal Justice Commission.

S. 339

At the request of Mr. BAUCUS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 339, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 398

At the request of Mr. BINGAMAN, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Pennsylvania (Mr. CASEY), the Senator from Wisconsin (Mr. KOHL) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 398, a bill to amend the Energy Policy and Conservation Act to improve energy efficiency of certain appliances and equipment, and for other purposes.

S. 414

At the request of Mr. DURBIN, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 414, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 418

At the request of Mr. HARKIN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 468

At the request of Mr. MCCONNELL, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 468, a bill to amend the Federal Water Pollution Control Act to clarify the authority of the Administrator to disapprove specifications of disposal sites for the discharge of dredged or fill material, and to clarify the procedure under which a higher review of specifications may be requested.

S. 470

At the request of Mr. CASEY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 470, a bill to establish an Early Learning Challenge Fund to support States in building and strengthening systems of high-quality early learning and development programs and for other purposes.

S. 491

At the request of Mr. PRYOR, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 491, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 520

At the request of Mr. COBURN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 520, a bill to repeal the Volumetric Ethanol Excise Tax Credit.

S. 534

At the request of Mr. KERRY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 534, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 554

At the request of Mr. GRAHAM, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 554, a bill to prohibit the use of Department of Justice funds for the prosecution in Article III courts of the United States of individuals involved in the September 11, 2001, terrorist attacks.

S. 570

At the request of Mr. TESTER, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 570, a bill to prohibit the Department of Justice from tracking and cataloguing the purchases of multiple rifles and shotguns.

S. 641

At the request of Mr. DURBIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 641, a bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis within six years by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

S. 666

At the request of Mr. BAUCUS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 666, a bill to require a report on the establishment of a Polytrauma Rehabilitation Center or Polytrauma Network Site of the Department of Veterans Affairs in the northern Rockies or Dakotas, and for other purposes.

S. 672

At the request of Mr. ROCKEFELLER, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 672, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 680

At the request of Ms. COLLINS, the names of the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 680, a bill to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to provide for the establishment of a National Women's History Museum.

S. 699

At the request of Mr. BINGAMAN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 699, a bill to authorize the Secretary of Energy to carry out a program to demonstrate the commercial

application of integrated systems for long-term geological storage of carbon dioxide, and for other purposes.

S. 707

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 707, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. RES. 86

At the request of Mrs. FEINSTEIN, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. Res. 86, a resolution recognizing the Defense Intelligence Agency on its 50th Anniversary.

S. RES. 109

At the request of Ms. SNOWE, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. Res. 109, a resolution honoring and supporting women in North Africa and the Middle East whose bravery, compassion, and commitment to putting the wellbeing of others before their own have proven that courage can be contagious.

S. RES. 125

At the request of Mr. UDALL of New Mexico, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. Res. 125, a resolution supporting the goals and ideals of National Public Health Week.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself and Mr. ROBERTS):

S. 722. A bill to strengthen and protect Medicare hospice programs; to the Committee on Finance.

Mr. WYDEN. Mr. President, this is far from the first time I have spoken in this Chamber about the importance of providing hospice benefits and those workers who help provide them tirelessly every day. Today I'm pleased to introduce legislation to strengthen the hospice program so that these critical benefits will continue to be available for those in the final stages of life.

Hospice care provides humane and comforting support for over 744,000 terminally ill patients and their families each year. These services include pain control, palliative medical care and social, emotional and spiritual services.

Hospice supports the basic human needs for feeling comfortable, in a familiar environment, surrounded by loving caregivers and family during the later stages of life. Hospice care is an effective model for the interaction of interdisciplinary teams of health professionals, family members and volunteers in providing care for those needing care in our communities.

Our country strives to provide exceptional support for the sick, elderly and terminally ill in home and hospice settings. These vulnerable individuals, as

well as their family caregivers, are indebted to the many professionals and volunteers who have made it their life's work to serve those in greatest need. Nearly 83,000 hospice professionals, 46,000 hospice volunteers and 1 million home health providers, nationally, contribute significantly to our health care system through their compassion and commitment.

It is because of these professionals and volunteers that seniors continue to have access to this vital service. And it is with these committed people in mind that Senator ROBERTS and I introduce legislation that will help sustain the future of hospice care.

Specifically, The Hospice Evaluation and Legitimate Payment Act creates a "do no harm" demonstration that evaluates proposed payment changes to hospices at 15 different sites before going into effect. With an estimated 66% of hospices looking down a road to negative operating margins by 2019, Congress must act to ensure hospice doors remain open. Testing payment changes can do that.

The HELP Act also allows nurse practitioners and physicians assistants to sign-off on the required face-to-face encounter. This expansion ensures program integrity while also preserving access to services, especially in rural areas where great distances can create unwanted impediments.

Finally, the HELP Act calls for increased accountability. Instead of a hospice submitting a survey every eight years, this legislation implements the recommendation of the OIG, and increases submission to once every 3 years.

We need to support new ways to treat a very ill patient physically and emotionally, long before the last days of life. We need to make sure doctors are not afraid of using pain medications to make people comfortable and, most of all, we need to make sure people start the conversations with their families and doctors about having a better death and using hospice as early as possible. None of these options for changing the standards of end-of-life care delivery can occur if hospices cannot continue to operate. The HELP Act makes that more possible.

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. 722

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 "Hospice Evaluation and Legitimate Payment Act".

SEC. 2. ENSURING TIMELY ACCESS TO HOSPICE CARE.

(a) IN GENERAL.—Section 1814(a)(7)(D)(i) of the Social Security Act (42 U.S.C. 1395f(a)(7)(D)(i)) is amended to read as follows:

"(i) a hospice physician, a nurse practitioner, a clinical nurse specialist, or a physi-

cian assistant (as those terms are defined in section 1861(aa)(5)), or other health professional (as designated by the Secretary), has a face-to-face encounter with the individual to determine continued eligibility of the individual for hospice care prior to the first 60-day period and each subsequent recertification under subparagraph (A)(ii) (or, in the case where a hospice program newly admits an individual who would be entering their first 60-day period or a subsequent hospice benefit period or where exceptional circumstances, as defined by the Secretary, may prevent a face-to-face encounter prior to the beginning of the hospice benefit period, not later than 7 calendar days after the individual's election under section 1812(d)(1) with respect to the hospice program) and attests that such visit took place (in accordance with procedures established by the Secretary); and".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on the date of enactment of this Act and applies to hospice care furnished on or after such date.

SEC. 3. RESTORING AND PROTECTING THE MEDICARE HOSPICE BENEFIT.

(a) IN GENERAL.—Section 1814(i) of the Social Security Act (42 U.S.C. 1395f(i)) is amended—

(1) in subparagraph (1)(C)—

(A) in clause (ii)—

(i) in the matter preceding subclause (I), by striking "(6)(D)" and inserting "(6)(E)"; and

(ii) in subclause (VII), by striking "(6)(D)" and inserting "(6)(E)";

(B) in clause (iii), by moving such clause 6

ems to the left and striking "(6)(D)" and inserting "(6)(E)";

(2) in paragraph (6)—

(A) in subparagraph (A), by striking "subparagraph (D)" and inserting "subparagraph (E)";

(B) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively, and inserting after subparagraph (C) the following new subparagraph:

"(D) HOSPICE PAYMENT REFORM DEMONSTRATION PROGRAM.—

"(i) ESTABLISHMENT OF DEMONSTRATION PROGRAM.—

"(I) IN GENERAL.—Prior to implementing any revisions to the methodology for determining the payment rates for routine home care and other services included in hospice care under subparagraph (E), the Secretary shall establish a Medicare Hospice Payment Reform demonstration program to test such proposed revisions.

"(II) DURATION.—The demonstration program shall be conducted for a 2-year period beginning on or after October 1, 2013.

"(III) SCOPE.—The Secretary shall select not more than 15 hospice programs at which the demonstration program under this subparagraph shall be conducted.

"(IV) REPRESENTATIVE PARTICIPATION.—Hospice programs selected under subclause (III) to participate in the demonstration program shall include a representative cross-section of such programs throughout the United States, including programs located in urban and rural areas.

"(V) VOLUNTARY PARTICIPATION.—Hospice program participation in the demonstration program shall be on a voluntary basis.

"(ii) EVALUATION AND REPORT.—

"(I) EVALUATION.—The Secretary shall conduct an evaluation of the demonstration program under this subparagraph. Such evaluation shall include an analysis of whether the use of the revised payment methodology under the demonstration program has improved the quality of patient care and access to hospice services for beneficiaries under this title and the impact of such payment revisions on hospice care providers, including the impact, if any, on the ability of hospice

programs to furnish quality care to beneficiaries under this title.

“(II) REPORT.—Not later than 1 year after the completion of the demonstration program, the Secretary shall submit to Congress a report containing the results of the evaluation conducted under subclause (I), together with recommendations for such legislation and administrative action as the Secretary determines appropriate.

“(iii) BUDGET NEUTRALITY.—With respect to the 2-year period of the demonstration program under this subparagraph, the Secretary shall ensure that the estimated amount of aggregate payments under this title to each hospice program participating in the demonstration program for such period shall not be more than 5 percent higher or 5 percent lower than the estimated amount of aggregate payments that would have been made under this title to each such hospice program during such period had they not participated in the demonstration program under this subparagraph.”.

(C) in subparagraph (E), as redesignated by subparagraph (B)—

(i) in clause (i)—

(I) in the first sentence, by striking “October 1, 2013, the Secretary shall, by regulation” and inserting “subject to clause (iii), the later of 2 years after the demonstration program under subparagraph (D) is completed or October 1, 2017, the Secretary shall, by regulation, preceded by notice of the proposed regulation in the Federal Register and a period for public comment in accordance with section 1871(b)(1),”; and

(II) in the second sentence, by inserting “, and shall take into account the results of the evaluation conducted under subparagraph (D)(ii)” before the period; and

(ii) by adding at the end the following new clause:

“(iii) In no case may the Secretary implement any revisions in payment pursuant to clause (i) unless the Secretary determines that the demonstration program under subparagraph (D) demonstrated that such revisions would not adversely affect access to quality hospice care by beneficiaries under this title.”.

(D) in subparagraph (F), as redesignated by subparagraph (B), by striking “subparagraph (D)” and inserting “subparagraph (E)”.

SEC. 4. HOSPICE SURVEY REQUIREMENT.

(a) IN GENERAL.—Section 1861(dd)(4) of the Social Security Act (42 U.S.C. 1395x(dd)(4)) is amended by adding at the end the following new subparagraph:

“(C) Any entity seeking certification as a hospice program shall be subject to an initial survey by an appropriate State or local survey agency, or an approved accreditation agency, as determined by the Secretary, not later than 6 months after beginning operations, and any entity which is certified as a hospice program shall be subject to a standard survey not less frequently than every 36 months.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on the date that is 180 days after the date of enactment of this Act and applies to hospice programs on or after such date.

Mr. ROBERTS. Mr. President, I rise today in support of the legislation introduced by Senator WYDEN, of which I am an original cosponsor, the ‘Hospice Evaluation and Legitimate Payment Act.’ The HELP Act.

The HELP Act does what the title says it does and takes initial steps in helping our hospices in Kansas and across the Nation continue to give the valuable care that patients and families need.

It is impossible to describe the value of hospice services to the patients and families for whom they provide selfless and compassionate care. Over the next 10 years hospice is facing drastic reductions in their reimbursements, negatively impacting at least 1.3 million patients and families, which is the number served by hospice programs in recent years.

The HELP Act sets realistic requirements for a face-to-face encounter. The Accountable Care Act included a requirement that a hospice physician or nurse practitioner should have a face-to-face encounter with hospice patients before their 180-day recertification and for each 60-day recertification period after that date, has caused a significant burden on our hospice communities, especially those in rural areas. The limits on who can conduct the face-to-face encounter and the timeline for compliance do not reflect the operational realities of hospice programs, especially for small and rural hospices. The HELP Act would allow Nurse Practitioners, Clinical Nurse Specialists and Physician’s Assistants to conduct the face-to-face encounter, and that hospice programs be afforded 7 days after the election of services to fulfill the requirement.

The HELP Act would require the Secretary to establish a payment reform demonstration program to test any prospective payment revisions to hospice, and would include an evaluation period for data analysis; increase the frequency of hospice surveys to every 3 years; and would amend the new face-to-face encounter statutory framework to reflect operational realities for hospice programs, and the needs of the patients and families they serve.

Under this legislation the new payment methodologies for hospice must first be piloted through a 2-year, 15-site demonstration program to allow for any recommended payment reform schemes to be tested across a representative sample of the hospice community and to assess their impact on beneficiary access to hospice services.

The HELP Act also requires more frequent hospice surveys. A recent Office of the Inspector General’s, OIG, report noted that CMS was remiss in its supervisory responsibilities by not regularly reviewing the operational and clinical delivery processes of the hospice community. OIG has recommended on numerous occasions that “CMS should conduct more frequent certification surveys of hospices as a way to enforce the requirements.” Accrediting organizations, such as the Joint Commission for the Accreditation of Healthcare Organizations, JCAHO, have set an industry standard of certification every 3 years for hospices. The HELP Act requires an initial survey for those seeking certification to be followed by a standard survey every 3 years.

While there is more work that needs to be done to address payment reductions for hospice providers, the HELP

Act takes some initial steps to addressing these problems. I am grateful to my colleague Senator WYDEN for introducing this legislation and I am happy to lend my support. I encourage all of my colleagues on both sides of the aisle to review and consider supporting this very important piece of legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 127—DESIGNATING APRIL 2011 AS “NATIONAL CHILD ABUSE PREVENTION MONTH”

Ms. COLLINS (for herself and Mr. KERRY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 127

Whereas in 2009, approximately 702,000 children were determined to be victims of abuse or neglect;

Whereas in 2009, an estimated 1,770 children died as a result of abuse or neglect;

Whereas in 2009, an estimated 80.8 percent of the children who died due to abuse or neglect were under the age of 4;

Whereas in 2009, of the children under the age of 4 who died due to abuse or neglect, 46.2 percent were under the age of 1;

Whereas abused or neglected children have a higher risk for developing health problems in adulthood, including alcoholism, depression, drug abuse, eating disorders, obesity, suicide, and certain chronic diseases;

Whereas a National Institute of Justice study indicated that abused or neglected children—

(1) are 11 times more likely to be arrested for criminal behavior as juveniles; and

(2) are 2.7 times more likely to be arrested for violent and criminal behavior as adults;

Whereas an estimated 1/3 of abused or neglected children grow up to abuse or neglect their own children;

Whereas providing community-based services to families impacted by child abuse or neglect may be far less costly than—

(1) the emotional and physical damage inflicted on children who have been abused or neglected;

(2) providing other services to abused or neglected children, including child protective, law enforcement, court, foster care, or health care services; or

(3) providing treatment to adults recovering from child abuse; and

Whereas child abuse and neglect have long-term economic and societal costs: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2011 as “National Child Abuse Prevention Month”;;

(2) recognizes and applauds the national and community organizations that work to promote awareness about child abuse and neglect, including by identifying risk factors and developing prevention strategies;

(3) supports the proclamation issued by President Obama declaring April 2011 to be “National Child Abuse Prevention Month”; and

(4) should increase public awareness of prevention programs relating to child abuse and neglect, and continue to work with States to reduce the incidence of child abuse and neglect in the United States.

Ms. COLLINS. Mr. President, it is with a heavy heart that I rise today to submit a resolution recognizing National Child Abuse Prevention Month. I

am honored to be joined by an advocate for children, Senator KERRY, in turning a spotlight on the issue of child abuse and neglect in this country. Senator KERRY and I share a common belief that children should be valued and nurtured by both their families and all of us.

The effort to address child abuse transcends ideological and partisan lines. This is not a Democratic or Republican issue—this is an American issue—one that we can't wish away, but that we must face head on and work to eradicate.

Abuse of children occurs in all segments of our society, in rural, suburban, and urban areas and among all racial, ethnic, and income groups. According to the 2009 Child Maltreatment Study compiled by the U.S. Department of Health and Human Services, during 2009, an estimated 702,000 children were determined to be victims of abuse or neglect, and an estimated 1,770 children died as a result.

Last year I became aware of yet another tragic case of child abuse. Maine was mourning the death of 15-month old Damien Lynn. Autopsy reports show that little Damien had broken bones and ribs, head and abdominal injuries, and a human bite mark on his right arm. This year the former boyfriend of Damien's mother will face the consequences of his actions, and I am proud to introduce this resolution again in Damien's memory.

The time has come for Americans to unite in an all-out effort to eradicate child abuse. National Child Abuse Prevention Month is an opportunity for communities across the country to keep children safe, provide the support families need to stay together, and raise children and youth to be happy, secure, and stable adults.

To paraphrase Mahatma Gandhi, "You can judge a society by how they treat their weakest members." This resolution is sad commentary that we have to do more to protect those who are in the dawn of life, the most vulnerable among us, our children.

SENATE RESOLUTION 128—EXPRESSING THE SENSE OF THE SENATE THAT PUBLIC SERVANTS SHOULD BE COMMENDED FOR THEIR DEDICATION AND CONTINUED SERVICE TO THE NATION DURING PUBLIC SERVICE RECOGNITION WEEK, MAY 1 THROUGH 7, 2011

Mr. AKAKA (for himself, Ms. COLLINS, Mr. LIEBERMAN, Mr. LEVIN, Mr. CARPER, and Mr. LAUTENBERG) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 128

Whereas Public Service Recognition Week provides an opportunity to recognize and promote the important contributions of public servants and honor the diverse men and women who meet the needs of the Nation through work at all levels of government;

Whereas millions of individuals work in government service in every city, county, and State across America and in hundreds of cities abroad;

Whereas public service is a noble calling involving a variety of challenging and rewarding professions;

Whereas Federal, State, and local governments are responsive, innovative, and effective because of the outstanding work of public servants;

Whereas the United States of America is a great and prosperous Nation, and public service employees contribute significantly to that greatness and prosperity;

Whereas the Nation benefits daily from the knowledge and skills of these highly trained individuals;

Whereas public servants—

(1) defend our freedom and advance United States interests around the world;

(2) provide vital strategic support functions to our military and serve in the National Guard and Reserves;

(3) fight crime and fires;

(4) ensure equal access to secure, efficient, and affordable mail service;

(5) deliver social security and medicare benefits;

(6) fight disease and promote better health;

(7) protect the environment and the Nation's parks;

(8) enforce laws guaranteeing equal employment opportunity and healthy working conditions;

(9) defend and secure critical infrastructure;

(10) help the Nation recover from natural disasters and terrorist attacks;

(11) teach and work in our schools and libraries;

(12) develop new technologies and explore the earth, moon, and space to help improve our understanding of how our world changes;

(13) improve and secure our transportation systems;

(14) promote economic growth; and

(15) assist our Nation's veterans;

Whereas members of the uniformed services and civilian employees at all levels of government make significant contributions to the general welfare of the United States, and are on the front lines in the fight against terrorism and in maintaining homeland security;

Whereas public servants work in a professional manner to build relationships with other countries and cultures in order to better represent America's interests and promote American ideals;

Whereas public servants alert Congress and the public to government waste, fraud, abuse, and dangers to public health;

Whereas the men and women serving in the Armed Forces of the United States, as well as those skilled trade and craft Federal employees who provide support to their efforts, are committed to doing their jobs regardless of the circumstances, and contribute greatly to the security of the Nation and the world;

Whereas public servants have bravely fought in armed conflict in defense of this Nation and its ideals and deserve the care and benefits they have earned through their honorable service;

Whereas government workers have much to offer, as demonstrated by their expertise and innovative ideas, and serve as examples by passing on institutional knowledge to train the next generation of public servants;

Whereas May 1 through 7, 2011, has been designated Public Service Recognition Week to honor America's Federal, State, and local government employees; and

Whereas Public Service Recognition Week is celebrating its 27th anniversary: Now, therefore, be it

Resolved, That the Senate—

(1) commends public servants for their outstanding contributions to this great Nation during Public Service Recognition Week and throughout the year;

(2) salutes government employees for their unyielding dedication and spirit for public service;

(3) honors those government employees who have given their lives in service to their country;

(4) calls upon a new generation to consider a career in public service as an honorable profession; and

(5) encourages efforts to promote public service careers at all levels of government.

Mr. AKAKA. Mr. President, today I rise to honor America's public servants, who provide so many essential services that Americans rely on every day. I am pleased to once again introduce a resolution recognizing these employees during Public Service Recognition Week.

Public Service Recognition Week provides us with the opportunity to honor and celebrate the works of federal, state and local public employees—and also gives American's across the country a chance to learn about the many possible careers in public service. As a former teacher and a life-long public servant, I have worked alongside so many hard-working, talented people who have dedicated their lives to serving others. Public employees across the country use the week to educate their fellow citizens on how government serves them and makes life better for all of us. It is my hope that this week's events will encourage many people, especially students and young professionals, to consider a career in public service.

As the Chairman of the Senate Homeland Security and Governmental Affairs Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, I am proud to take this moment to highlight the importance of our public servants. This country is facing so many challenges both here at home and abroad, and our public servants play an integral role in moving our country forward. It is essential that we do not lose sight of their importance and all that they do to keep our country strong.

Our public servants are honorable men and women who provide vital services to the American people, including teaching our children, keeping our Nation safe, caring for our wounded warriors, guarding our prisons, and responding to natural disasters. Our way of life would not exist without the work of public employees.

This is the 27th year we have honored our public servants with Public Service Recognition Week during the first week of May. Although we have designated a week to pay tribute to government employees, it is also important that we honor the invaluable service of public servants throughout the year. America's public servants deserve our gratitude and respect and I thank them for their dedication. I encourage my colleagues to join me in this annual

celebration and recognize the public servants in their states.

SENATE RESOLUTION 129—HONORING THE 29 COAL MINERS WHO PERISHED IN THE EXPLOSION AT THE UPPER BIG BRANCH MINE IN MONTCOAL, WEST VIRGINIA, ON APRIL 5, 2010, AND REMEMBERING ALL THOSE WHO HAVE LOST THEIR LIVES WHILE MINING FOR THE RESOURCES ON WHICH THE UNITED STATES RELIES

Mr. ROCKFELLER (for himself, Mr. MANCHIN, Mr. HARKIN, Mr. ENZI, Mrs. MURRAY, and Mr. ISAKSON) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 129

Whereas West Virginia coal miners and their predecessors not only have a strong commitment to providing a good living for their families, but also take a deep and patriotic pride in the fact that their work and the energy they produce has made the United States strong and free;

Whereas coal mining has been, and remains, an important part of the economy of the United States;

Whereas coal accounts for nearly ½ of the electricity produced in the United States;

Whereas coal has been commercially mined in what is now the State of West Virginia since 1810;

Whereas since 1810, West Virginia miners and their families have sacrificed greatly to mine the coal that powers the economy of the United States;

Whereas on April 5, 2010, 29 heroic and patriotic West Virginia miners tragically lost their lives in an explosion at the Upper Big Branch Mine in Montcoal, West Virginia;

Whereas a search and rescue effort was launched immediately following the explosion that involved dozens of courageous volunteers, first responders, and mine rescue teams who fearlessly risked their lives to rescue survivors and find lost miners;

Whereas Carl “Pee Wee” Acord, Jason Matthew Atkins, Christopher Lee Bell, Sr., Gregory Steven Brock, Kenneth A. Chapman, Sr., Robert Eugene Clark, Cory Davis, Charles Timothy Davis, Michael Lee Elswick, William Ildon Griffith, Steven J. “Smiley” Harrah, Edward “Dean” Jones, Richard Keith Lane, William Roosevelt Lynch, Joe Marcum, Ronald Lee Maynor, Nicolas D. McCroskey, James “Eddie” Moonney, Adam K. Morgan, Rex Lane Mullins, Joshua Scott Napper, Howard “Boone” Payne, Jr., Dillard Earl “Dewey” Persinger, Joel R. “Jody” Price, Gary Wayne Quarles, Deward Allan Scott, Grover Dale Skeens, Benny Ray Willingham, and Ricky L. Workman perished in the explosion at the Upper Big Branch Mine;

Whereas the terrible tragedy broke the hearts of the people of the United States;

Whereas since the beginning of 2010, 77 miners of coal and other resources have lost their lives on the job, and thousands more have been injured or diagnosed with occupational illnesses, such as Black Lung disease;

Whereas the families of the deceased continue to suffer, as do those miners who have become seriously injured or ill; and

Whereas Congress has long recognized the need to protect the safety and health of miners: Now, therefore, be it

Resolved, That the Senate—

(1) honors the coal miners who lost their lives in the explosion at the Upper Big

Branch Mine in Montcoal, West Virginia, on April 5, 2010;

(2) extends its continued heartfelt condolences to the families of the deceased, who are still looking for answers to the tragedy;

(3) recognizes the hardships faced by survivors of the tragedy and fellow miners who worked side-by-side with the deceased;

(4) acknowledges the risks faced by all miners, as well as the important and often over-looked contributions that miners make to the United States;

(5) expresses its appreciation for the volunteers, first responders, and mine rescue teams who fearlessly risk their lives to save miners after tragedies; and

(6) reaffirms its commitment to keep miners safe and healthy on the job.

AMENDMENTS SUBMITTED AND PROPOSED

SA 283. Mr. McCAIN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table.

SA 284. Mr. MENENDEZ (for himself, Mr. KERRY, and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill H.R. 4, to repeal the expansion of information reporting requirements for payments of \$600 or more to corporations, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 283. Mr. McCAIN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 116, after line 24, add the following:

SEC. 504. ELIMINATION OF DUPLICATIVE SECURITY ASSESSMENTS.

Notwithstanding any other provision of law, the Transportation Security Administration is not authorized to conduct security assessments of motor carriers that are—

(1) registered under subpart G of part 107 of title 49, Code of Federal Regulations; and

(2) subject to security contact reviews conducted by the Federal Motor Carrier Safety Administration.

SA 284. Mr. MENENDEZ (for himself, Mr. KERRY, and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill H.R. 4, to repeal the expansion of information reporting requirements for payments of \$600 or more to corporations, and for other purposes; which was ordered to lie on the table; as follows:

On page 4, after line 3, insert the following:

(c) **STUDY OF THE EFFECTS ON SMALL BUSINESSES OF INCREASES IN THE AMOUNTS OF HEALTH CARE CREDIT OVERPAYMENTS REQUIRED TO BE RECAPTURED.**—

(1) **IN GENERAL.**—The Secretary of Health and Human Services shall conduct a study to determine if the amendments made by this section—

(A) will result in an increase in health insurance premiums within the Exchanges created by the Patient Protection and Affordable Care Act for employees or owners of small businesses; or

(B) will result in an increase in the number of individuals who do not have health insur-

ance coverage, a disproportionate share of which are employees and owners of small businesses.

(2) **EFFECT OF INCREASES.**—If the Secretary determines under paragraph (1) that there will be an increase described in subparagraph (A) or (B), or both, then, notwithstanding subsection (b), the amendments made by this section shall not apply to taxable years ending after the date of such determination and the Internal Revenue Code of 1986 shall be applied and administered to such taxable years as if such amendments had never been enacted.

NOTICES OF INTENT TO SUSPEND THE RULES

Mr. COBURN. Mr. President, I submit the following notice in writing: In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 217 on S. 493.

Mr. COBURN. Mr. President, I submit the following notice in writing: In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 220 on S. 493.

Mr. COBURN. Mr. President, I submit the following notice in writing: In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 222 on S. 493.

Mr. COBURN. Mr. President, I submit the following notice in writing: In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 273 on S. 493.

Mr. COBURN. Mr. President, I submit the following notice in writing: In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 274 on S. 493.

Mr. COBURN. Mr. President, I submit the following notice in writing: In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 279 on S. 493.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, April 7, 2011, at 2:15 p.m. in Room

628 of the Dirksen Senate Office Building to conduct a hearing on S. 675, a bill to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity; S. 676, a bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes; and S. 703, a bill to amend the Long-Term Leasing Act, and for other purposes, to be followed immediately by an oversight hearing entitled "Promise Fulfilled: The Role of the SBA 8(a) Program in Enhancing Economic Development in Indian Country."

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

ORDERS FOR TUESDAY, APRIL 5,
2011

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that when the

Senate completes its business today, it adjourn until 10 a.m. on Tuesday, April 5; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority the final half; that following morning business, the Senate proceed to consideration of H.R. 4, 1099 repeal, under the previous order; further, that the Senate stand in recess from 12:30 to 2:15 to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BROWN of Ohio. Mr. President, Senators should expect two rollcall

votes at approximately 12 noon in relation to 1099 repeal. We are working to reach an agreement on the small business bill. Senators will be notified when additional votes are scheduled.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

Mr. BROWN of Ohio. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:22 p.m., adjourned until Tuesday, April 5, 2011, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate April 4, 2011:

THE JUDICIARY

JIMMIE V. REYNA, OF MARYLAND, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT.

EXTENSIONS OF REMARKS

H. CON. RES. 28, DIRECTING THE PRESIDENT, PURSUANT TO SECTION 5(C) OF THE WAR POWERS RESOLUTION, TO REMOVE THE UNITED STATES ARMED FORCES FROM AFGHANISTAN

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. BLUMENAUER. Mr. Speaker, I continue to have profound reservations about our troop commitments in Afghanistan. History suggests that we will not be successful in stabilizing Afghanistan with military force. No one has and I don't think anyone will.

I opposed the tripling of forces in the region and think that a rapid drawdown starting in July is absolutely essential. We should not, however, tie the hands of the administration and put the civilians in Afghanistan at risk by forcing a complete withdrawal of troops in 30 days. The forthcoming reduction in U.S. troop levels in Afghanistan must be significant and sizeable, but must be executed in an orderly fashion.

The reasons for a timely departure are many. Afghanistan today is one of the most corrupt countries in the world, ranked next to last out of 180 by Transparency International. If you have a culture of corruption, it's hard to plant seeds of positive growth. Economic development through roads and water make the difference between people being thug and doing whatever necessary to feed their families.

The United States and international donors simply cannot afford to bankroll 70% of Afghanistan's budget and to keep spending \$8 billion a month in taxpayer money. We spend in one day 20 times what the average Afghani will earn in an entire year. Yet for all that spending there is a dire need for the most basic of services. In the rural areas, 80% drink polluted water, only 10% have adequate sanitation.

It grows clearer by the day that the more heavy-handed we are and the stronger our military presence in Afghanistan, the more we unify the threats against our troops, the United States, and our allies.

Military efforts do little to address the Afghan people's grievances over their exclusion from the political process and do little for long-term stability throughout the region. We should focus on civilian efforts, working with Afghans to strengthen their ability to govern, support civil society, fight corruption, and help to rebuild their country. We cannot do this in 30 days, not even 30 weeks. That's why I oppose this resolution and instead support a significant—but thoughtful—drawdown in July.

ON THE PASSING OF STANLEY J. "BUD" GRANT

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mrs. CHRISTENSEN. Mr. Speaker, I rise to remember and commemorate the life of Stanley, J. "Bud" Grant who passed away suddenly last month but who in the course of his life worked to help those in need. I knew him as Bud Grant, the founder and President of the Friends of the Congressional Glaucoma Caucus Foundation as he worked to screen disadvantaged populations across the country for glaucoma and other eye diseases. My community, in the U.S. Virgin Islands, was one of the places where Bud took his army of mercy since 2001 to test and identify thousands who could not afford to seek those services on their own. People lined up for hours, waiting for a chance to get care for that most precious of human senses, eyesight.

Bud was born and raised in Brooklyn, New York. He graduated from St. Francis College and attended Fordham University and the New York University School of Public Administration. A member of the "Greatest Generation," he served in the U.S. Marine Corps in the Pacific theater during the Second World War.

Prior to his work against glaucoma, Bud enjoyed a long career in pharmaceutical sales for Upjohn/Pharmacia. He worked on behalf of the Medical Society of the State of New York, the Pharmaceutical Manufacturing Association, and Pharmacia Corporation and Covance Research Labs. He also served on the boards of Wagner College and New York Hospital Division of Queens.

On behalf of my family, staff and constituents in the U.S. Virgin Islands who were touched by Bud's work, I extend my condolences to Bud's family, especially his son Richard, who will continue the important work that his father began at the Glaucoma Caucus Foundation.

May Bud Grant rest in peace.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. COFFMAN of Colorado. Mr. Speaker, today our national debt is \$14,251,174,516,308.48.

On January 6, 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 \$3,612,748,770,014.60 since then.

This debt and its interest payments we are passing to our children and all future Americans.

PROTECTING NATIONAL SECURITY BY CUTTING THE MILITARY BUDGET

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. FRANK of Massachusetts. Mr. Speaker, two things are very clear. One, we should over the next years adopt a plan for substantially reducing our national debt. Two, we cannot do that in a reasonable way without making substantial reductions in America's worldwide military footprint. For too long we have allowed the rest of the world to become dependent on us. As our wealthy allies cut their own military budgets, we are expected to increase ours. The recent Libyan situation illustrates the problem we have created for ourselves by encouraging this sense of dependence on the part of so many wealthy nations. America is thousands of miles away from Libya while many of our strongest and closest—and prosperous—allies are within hundreds of miles. But it fell to America to take the lead in the coalition effort against Libya and the reason for that, we were told, is that only America had the capability to do it. To the extent that it is true, it is a shortcoming that we must remedy. We must insist that our wealthy allies no longer expect us to shoulder so much of the burden. It is important that we recalibrate our military spending to more closely approximate our own genuine needs, and if we do not do that, there is no way to bring the budget deficit down in a responsible way.

Mr. Speaker, Winslow Wheeler is a thoughtful student of military spending and understands how America's genuine defense would be enhanced and not in any way threatened by a substantial scaling back of military expenditures. He wrote a very thoughtful article explaining this in the Wednesday, March 9 issue of the Hill, and because no issue is more important than getting the budget deficit down in a responsible way, I ask that that article be reprinted here.

THE DEFENSE BUDGET: IGNORANCE IS NOT BLISS

(By Winslow T. Wheeler)

Polling from Pew and Gallup reveals major public misconceptions about the defense budget. Fifty-eight percent of Americans know that Pentagon spending is larger than any other nation, but almost none know it is up to seven times that of China. Most had no idea the defense budget is larger than federal spending for education, Medicare or interest on the debt.

The scurrilous in Washington promote the misimpression of an under-funded Pentagon. They imply it is smaller than during the Cold War by saying it was at 8 percent of gross domestic product in the late 1960s, but only 4 percent of GDP now. Therefore, it's gone down and is now low, right?

Some use hyperventilated rhetoric to pressure for more defense dollars. Sadly, this category now must include Secretary of Defense Robert Gates, who termed "catastrophic" the recommendations of the

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Obama deficit commission to merely maintain defense spending at its post-WWII high, and who deemed a "crisis" the idea of a 1 percent—\$5 billion—reduction in the 2011 defense budget compared to 2010.

Some on Capitol Hill, such as the chairman of the House Armed Services Committee, Rep. Buck McKeon (R-Calif.), blanch at the idea of restraining defense spending, claiming it would be "dangerous" to do anything but grow the defense budget while the nation is "at war."

They don't just ignore the facts, they torture them—but that's nothing new in politics. What is different, however, is that the aggressive ignorance about the defense budget is beginning to shrivel, revealing a new paradigm: the defense budget is outrageously bloated.

The new conventional wisdom is that we now spend more on the Pentagon than at any time since WWII, and that President Obama will exceed George W. Bush's defense spending. Some even appreciate that he will also exceed Ronald Reagan's. Others understand defense spending does not just exceed a few other functions in presidents' budgets, it exceeds them all, except one—Social Security. In most cases, DOD doesn't just exceed the others; it is multiples of them.

During the Cold War, we averaged \$450 billion annual Pentagon budgets. Today, with no massive conventional threat and a much-diminished nuclear one, we operate at spending levels more than \$200 billion higher, if you include funding for the wars—almost \$100 billion higher if you do not.

The distortion of a lesser threat compelling more spending is propelling the paradigm shift.

Moreover, the wars we have been fighting are against poorly trained and equipped irregulars. It is not to diminish the sacrifice the national leadership extracts from the men and women who serve in Afghanistan and, previously, Iraq, but today's conflicts are—materially—minor events compared to the wars in Korea and Vietnam, when we deployed hundreds of thousands more and faced more than 200 Soviet and Warsaw Pact divisions in Europe.

While we have spent more than \$1.3 trillion for Iraq and Afghanistan since 2001 (in inflation-adjusted 2011 dollars), we also added another trillion dollars to the parts of the defense budget that the Pentagon tells us is not for the wars—the so-called "base" budget.

Just before 9/11 we were operating at an annual level of spending for the Pentagon at \$400 billion. Today, in the same inflation-adjusted dollars, we are operating at a "base" budget level well above \$500 billion. It is in that context that we are told by Gates and McKeon that a 1 percent reduction in a single year constitutes a "crisis" or something "dangerous."

The real crisis is what has been happening to our forces. With a \$300 billion increase in funding, the Navy's "battleforce" shrank from 318 ships in 2000 to 287 in 2010. With more than \$300 billion added to its budget, the Air Force shrank from 146 combat squadrons to 72. The Army burned another \$300 billion to increase brigade combat team equivalents from 44 to just 46. According to data from the Congressional Budget Office, this includes not a smaller, newer equipment inventory, but an older one.

Worse, the Pentagon can't track its own inventory, financial transactions, or even what it has paid out to contractors and received in return. Despite the accountability clause of the Constitution, the General Accounting Act of 1921, and the Chief Financial Officers Act of 1990, the Pentagon has maintained itself in a state where it cannot be audited.

But then, if I were presiding over this mess, I would want not you to know the facts either.

HONORING DON ROBERTSON

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to recognize Don Robertson of Marietta, Georgia.

For 26 years, Don has been the headmaster of The Walker School. This school year will be his last as he embarks on a much deserved retirement. The Cobb County Community is sad to see such a great educator leave but we are grateful that he and his family have been such an integral part of our community.

What makes him such a respected educator is that Don has always been willing to assist a student in need. Although he would never volunteer this information, Don has paid the reenrollment fees for countless students to continue their higher education at Walker. This is a common occurrence with a co-worker from all of his 26 years commenting "if only I had a nickel for every dollar he contributed to tuition of his students . . ."

Mr. Speaker, Don often is introduced by his own faculty as "The World's Best Headmaster." He has been a formidable mentor to young faculty. So much so, many of his mentees have gone on to be principals and headmasters themselves at other educational institutions.

Don is always willing to give his all to the betterment of the Walker community. During the annual silent auction, Don offers up his culinary skills with all proceeds going to the school. "Won-ton Don" prepares from scratch an Oriental meal for the winning bid, which is always one of the most popular items at the auction.

Mr. Speaker, Don has been a strategic planner for The Walker School and it has never been more evident than today. When Don first came to Walker in 1985, the school had 450 students and one building. Under Don's leadership, Walker recently completed an \$11.5 million building program which significantly enhanced the academic and athletic facilities. Today, he leaves the school with a student population of 1,038, 34 acres of land, more than 1 million square feet of teaching space, seven buildings that house three libraries, two gymnasiums, three dining halls, a technology center, Preschool, Lower School, and Middle and Upper Schools. Without question, Don built Walker to what it is today.

Walker's Mission is to provide an excellent college-preparatory education in a nurturing environment that values personal integrity, prizes creativity, and inspires the lifelong love of learning. It is clear, Mr. Speaker, that Don Robertson has done just that.

Don compiled a faculty of substance to help prepare students for college and for life. The school has over 180 professional staff members, with advanced degrees held by 71 percent of Walker's lead teachers. Don believes in his faculty. At every faculty meeting, he draws the name of a teacher out of a hat. Whichever teacher he draws, he substitutes for them for the entire day, giving them a much deserved day of rest.

It is no small task but Don has cultivated a learning environment that students want to immerse themselves in. As a mathematics instructor, Don has made students appreciate the subject, which in and of itself is a huge accomplishment. Tellingly, 100 percent of The Walker School graduates are accepted to a college or university.

When asked about what makes The Walker School special, Don stated: "An intangible spirit exists in the faces of our students, during conversations with our committed faculty and staff, visits from our alumni, and in the dedicated work of our volunteers and parents."

Mr. Speaker, Don is a devoted father and grandfather of three. I know he is looking forward to being able to spend more time with his grandchildren.

Don, I thank you for your service to the children of Cobb County and I wish you the best in the next chapter of your life.

I ask my colleagues to please join me in thanking Don Robertson for his commitment to the education of our Nation's future leaders and the betterment of his community.

IN HONOR OF JOSEPH J. HUNT,
PRESIDENT OF INTERNATIONAL
ASSOCIATION OF BRIDGE,
STRUCTURAL, ORNAMENTAL,
AND REINFORCING IRON-
WORKERS

HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. LYNCH. Mr. Speaker, I rise today in honor of a good friend and tremendous labor leader, Joseph J. Hunt. Joe has dedicated his life to improving the lives of working men and women.

Joseph J. Hunt was elected General President of the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers on February 23, 2001. A native of St. Louis, Missouri, he is a third generation ironworker. His father, Joseph Hunt, Sr., and his grandfather, Jim Hunt, both held offices in Iron Workers Local Union No. 396, St. Louis. As his father and grandfather before him, Joe has held numerous positions in Local No. 396 including that of Business Manager. In 1983 he was appointed a General Organizer and assigned to International Headquarters in Washington, D.C. He first served as Assistant to the Director of Jurisdiction and then became Assistant to the General Treasurer. In 1990, he returned to St. Louis and was elected President of the Iron Workers District Council of St. Louis. In 1994, Joe was appointed General Vice President and in December of 1998 he was appointed General Treasurer.

Between May and July of 2001, Joe was both elected as an Executive Board Member of the Maritime Trades Department and as a Vice President of the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO). Subsequently, in August of the same year, he was elected as an Executive Board Member of the Metal Trades Department.

During his distinct career, Joe served as a member of the Governing Board of Presidents of the Building and Construction Trades Department and the Secretary of the Board of Directors of the National Coordinating Committee for Multiemployer Plans. While he

served on the Board of Directors of Union Labor Life Insurance Company, Joe was elected as Chairman of the Board on August 3rd, 2003. In addition, Joe has served in other labor related positions including Vice President and Executive Board Member of the St. Louis Building Trades Council, Executive Board Member of the Missouri Building Trades Council, Trustee and Executive Board Member of the St. Louis Labor Council, AFL-CIO, Chairman of the National Stack and Chimney Committee, and Secretary of the Regional Committee of the National Infrastructure Alliance. His extensive and impressive resume also includes serving as a Board Member of the Maria Droste Home, as a Trustee of the Arch Mutual Fund, and as a Board Member of FIRMCO.

A 1987 graduate of the Harvard University Trade Union Program, Joe and his wife Jan have four children including son Joe (who is also a member of Local 396), as well as eleven grandchildren. They all currently reside in St. Louis.

Mr. Speaker, it is my distinct honor to join with Joe's family, friends, and brothers and sisters of labor to thank him for his incredible dedication and commitment to the fight for workers' rights and services. I hope my colleagues will join me in celebrating Joe's distinguished career and in wishing him good health and success in all of his future endeavors.

REDUCING REGULATORY BURDENS ACT OF 2011

SPEECH OF

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 30, 2011

Ms. MCCOLLUM. Mr. Speaker, I rise today to oppose H.R. 872, the Reducing Regulatory Burdens Act.

Today, Congress could have had a legitimate and necessary debate about the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Does FIFRA do an adequate job of regulating pesticides or should the Clean Water Act supplement these efforts to address water quality issues? But that is not the debate we are having today.

Instead, the Republican majority is forcing a vote to ban the EPA from ever applying the Clean Water Act to pesticides discharges into our Nation's waters. H.R. 872 removes a critical tool the EPA may need to protect public health and it weakens America's most important clean water legislation.

This is a deceptive piece of legislation. Proponents claim H.R. 872 merely eliminates a duplicative bureaucratic process for pesticide application. In fact, if passed, H.R. 872 could permanently stop our ability to control and manage pesticide pollution found in America's rivers, lakes and streams.

H.R. 872 would reverse a 2009 court decision. That decision found that the use of some pesticides and herbicides at times is a form of water pollution requiring a National Pollutant Discharge Elimination System (NPDES) permit. Across the country, over a thousand waterways are known to be "impaired" or polluted because of pesticides. Many more waters may be polluted but have not even been tested. In my home State of Minnesota—land

of 10,000 lakes—a past U.S. Geological Survey study concluded that pesticides in rivers and streams in central Minnesota were "ubiquitous." Endocrine disruptors possibly linked to the use of pesticides have led to the rise of mutating fish in the Mississippi River and 11 Minnesota lakes.

Pesticide pollution in American waters is a problem that requires close review. I believe EPA is doing its job, as determined by the courts, to investigate and attempt to reduce harmful pesticide discharges into water bodies. The Minnesota Pollution Control Agency has told my office that they are working diligently to implement the federal court decision and the EPA's permitting efforts. I am concerned that H.R. 872 would stop state pollution control agencies across the country from their important work of regulating pesticide chemicals in our water.

Moreover, H.R. 872 is being rushed to passage with little debate. It is being considered under suspension of the rules, a procedure usually reserved for non-controversial bills. Opposing witnesses were not allowed to testify during committee hearings and the Republican majority broke its promises to work with members who had offered and then withdrawn amendments in committee. This is no way to consider a bill that has serious consequences for human health, wildlife and the environment.

Instead of tying EPA's hands, Congress should be encouraging, even pressing, the EPA to address water pollution that is threatening the health of our families and ecosystems. I oppose H.R. 872 and the overreaching effort to rush this bill through the legislative process.

RECOGNIZING THE 2010-2011 CONGRESSIONAL YOUTH ADVISORY COUNCIL FOR 500 HOURS OF OUTSTANDING SERVICE TO THE COMMUNITY—REBECCA JAMES

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my pleasure and privilege to inform the Members of the United States House of Representatives that the students of the 2010–2011 Congressional Youth Advisory Council (CYAC) from the Third District of Texas have completed a total of 500 community service hours, fulfilling and far-surpassing the requirements of their assigned CYAC in the Community service project.

This year 46 students from public, private, and home schools in grades 10 through 12 made their voices heard by joining CYAC. As the Third District's young ambassadors to Congress, these bright high school students met with me on a quarterly basis to discuss current events and public policy. These impressive young people recognize an important truth: the heart of public service is found when giving back to the community. CYAC students volunteered their time and talents with over 30 organizations including Adopt-A-Highway, Habitat for Humanity, Meals on Wheels, Teen Court, and the USO, to name a few. As one student shared, "CYAC in the Community has allowed me to realize my calling to serve

those in the U.S. Armed Forces." I am beyond thrilled that CYAC has helped students unleash their full potential and chase their dreams.

President George H.W. Bush once said, "A volunteer is a person who can see what others cannot see; who can feel what most do not feel. Often, such gifted persons do not think of themselves as volunteers, but as citizens—citizens in the fullest sense: partners in civilization."

With this statement as a benchmark, I am proud to congratulate the members of the 2010–2011 Congressional Youth Advisory Council for showing themselves to be outstanding young citizens of this nation. It is my privilege to submit summaries of their work to the CONGRESSIONAL RECORD to be preserved for posterity and antiquity. To these young public servants, thank you, and keep up the great work! I salute you!

A copy of each submitted student summary follows:

For my community service contribution this year I participated in a dance marathon that raised close to five thousand dollars for Habitat for Humanity at Dallas. I was actually the founder of this event and coordinated every detail of the fundraiser. My dance marathon consisted of dancing and activities for a solid twelve hours. The event took place at my high school and included one hundred and eleven determined students. I was very happy with the outcome of this program and so was my beneficiary—Habitat for Humanity. Dance marathon 2011 was an incredible experience and a quite rewarding way to spend a Saturday. Not only did I dance with one hundred of my closest friends; I also met new people, raised awareness about a great cause, and raised money for a deserving neighbor in Dallas. The money we earned will be going to a family that lives in Dallas and the five thousand dollars will be used to most likely buy paint or a new door. It is great to know that I planned such a successful event, and it is even more wonderful to know I have personally impacted and changed a person's life.

—Rebecca James

HONORING JERRY FELDHAUS ON HIS RETIREMENT

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. CARNAHAN. Mr. Speaker, on the occasion of his retirement, I rise to honor Jerry Feldhaus, an exemplary citizen of Missouri and the City of St. Louis. An active and accomplished, yet humble citizen who worked selflessly and tirelessly for the good of others, Jerry truly represents the best of America.

As a young man, Jerry's career as a pipe coverer was interrupted when he was called upon to serve our Nation. He answered that call and bravely defended our freedoms as a member of the 101st Airborne Division in Vietnam.

Jerry's commitment to helping others is demonstrated by his dedication to the trade union movement. For 31 years, he served as a board member, business representative, and business manager of the Asbestos Workers Union Local 1. For the past 12 years, Jerry served as the Executive Secretary-Treasury of the St. Louis Building & Construction Trades

Council. He has held numerous other leadership positions in the Building Trades and as a Board Member and Co-Chairman of PRIDE, Jerry Feldhaus set the standard in building better cooperation between management and labor.

Jerry's reputation as trusted leader in both labor and management circles helped great economic development project get done in our St. Louis Region. Private sector projects such as the new Busch Stadium would never have been built on time and on budget without the commitment and vision of Jerry Feldhaus. The new Mississippi River Bridge, one of the most important and transportation projects currently being built in the country, would not be on its way without Jerry's steadfast leadership in bringing Illinois and Missouri leaders together for this great common cause.

Through it all, Jerry has been motivated by a profound desire to work for the benefit of others. He has made a significant and positive impact on our community, giving his time and talents generously to vital social causes as a Board Member of the St. Louis Chapters of both the March of Dimes and Nurses for Newborns.

Jerry is deeply devoted to his family. He and his wife Jeanette have been married for 38 years and raised three children: Damon, Marty, and Stacy. Jerry is also a loving grandfather and great-grandfather.

The St. Louis community has benefited tremendously from Jerry's unwavering commitment to improve labor and social conditions. Furthermore, every American appreciates the patriotic sacrifices he made in his military service. Jerry is truly an exemplary citizen, and the accomplishments of his remarkable career ensure that his legacy will live on for many years to come.

HONORING LIVING LEGENDS TORCH BEARERS' AWARD RECIPIENTS

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. ANDREWS. Mr. Speaker, I rise today to honor twelve members of the South Jersey community who received awards at the Living Legends Torch Bearers' Awards Program. These leaders of the African-American community dedicated years of educational, cultural, and religious service to South Jersey. Assemblyman Gilbert "Whip" Wilson, Bryson C. Armstead, Spencer Moore, Joyce Gilchrist-Pierce, Ruben Britt Jr., Beverly Collins-Roberts, Martha Chavis, Claudia Cream, Dr. Stella Horton, Dr. Ralph Hunter, Wilbert Mitchell, and Rev. John O. Parker Jr. deserve to be recognized for their hard work and dedication to the South Jersey community.

Assemblyman Gilbert "Whip" Wilson is a lifelong resident of Camden County and has dedicated his life to service, first in the Air Force, where he was awarded with several medals. He then served as a member of the Camden Police Department and rose to the rank of lieutenant. After his retirement, he was on the Camden City Council, until he was appointed to the New Jersey Assembly.

Two other honorees were also veterans. Bryson C. Armstead served in the Navy during

World War II. He was a driving force behind the restoration of the Mount Peace Cemetery, and its placement on the State and National Registers of Historic Places. Spencer Moore served in World War II as was a member of the 92nd Infantry Division. He saw combat in Italy and received a Purple Heart, the Bronze Star and the Combat Infantry Badge.

The other individuals that were honored with awards were: Joyce Gilchrist-Pierce, first female mayor of Camden; Ruben Britt Jr., author and current Assistant Director of Career and Academic Planning at Rowan University; Beverly Collins-Roberts, award-winning photographer, filmmaker and historian; Martha Chavis, a community leader and adjunct professor at several colleges; Claudia Cream, principal of Parkside Elementary school in Camden; Dr. Stella Horton, executive director of the Camden Center for Youth Development; historian Dr. Ralph Hunter, founder of the African American Heritage Museum in Newtonville; Wilbert Mitchell, executive director of RESPOND, a Camden-based educational and social services organization; and Rev. John O. Parker Jr., Pastor of Camden's Antioch Baptist Church.

Mr. Speaker, the commitment of these individuals to the South Jersey community should not go unrecognized. I express my deepest appreciation for their dedication and unwavering service.

RECOGNIZING THE 2010-2011 CONGRESSIONAL YOUTH ADVISORY COUNCIL FOR 500 HOURS OF OUTSTANDING SERVICE TO THE COMMUNITY—JOYCE KIM

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my pleasure and privilege to inform the Members of the United States House of Representatives that the students of the 2010-2011 Congressional Youth Advisory Council (CYAC) from the Third District of Texas have completed a total of 500 community service hours, fulfilling and far-surpassing the requirements of their assigned CYAC in the Community service project.

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President George H.W. Bush once said, "A volunteer is a person who can see what others cannot see; who can feel what most do

not feel. Often, such gifted persons do not think of themselves as volunteers, but as citizens—citizens in the fullest sense: partners in civilization."

With this statement as a benchmark, I am proud to congratulate the members of the 2010-2011 Congressional Youth Advisory Council for showing themselves to be outstanding young citizens of this nation. It is my privilege to submit summaries of their work to the CONGRESSIONAL RECORD to be preserved for posterity and antiquity. To these young public servants, thank you, and keep up the great work! I salute you!

A copy of each submitted student summary follows:

LOVE WEEK is a tradition at Allen High School that is currently in its 32nd year. The program had lapsed in the past three years, but was resurrected by the International Baccalaureate students as part of their focus on community service in 2009-2010. The idea for LOVE WEEK was developed 29 years ago by a high school class who was reading the novel 1984, by George Orwell. In the novel there is a "hate week" and the students decided to turn the idea around and form a "love week." Each year an AISD student or Allen community member who is in need is chosen, and then various fund-raising activities occur during Love Week (usually the 2nd week of February) in order to raise money to aide the selected recipient. This year, I was one of two co-chairs responsible for overseeing the entire operations of Love Week. Subsequently, I helped choose this year's recipient out of about ten different candidates. This year's recipient was Mavrik Veal, a Kindergartener. He is currently battling two types of Leukemia is undergoing chemotherapy in order to have a bone marrow transplant in the next two weeks.

—Joyce Kim

HONORING MAYOR LINDA JACKSON

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. ROSKAM. Mr. Speaker, I rise today to commemorate Linda Jackson's 20th anniversary of serving on the Glendale Heights Village Board, and her 10th anniversary serving as Village President. This is an extraordinary milestone in that it makes her the longest serving public official on the Glendale Heights Village Board as well as the longest serving Village President.

As a resident of Glendale Heights for 37 years, Mayor Jackson has distinguished herself as a well-respected leader. Prior to becoming Mayor, she was an Elected Trustee in 1991, 1995 and 1999. Throughout her career, Mayor Jackson has served on numerous Village Committees and Commissions and has played a primary role in the improvement of several public buildings and parks within Glendale Heights.

Among other projects, Mayor Jackson has overseen the development of Camera Park, the Glendale Heights Aquatic Center, Veterans Memorial Park and the Glendale Lakes Golf Club and Banquet Facility. She is an active member of the community, serving as a member of the DuPage Mayors and Managers Conference, the U.S. Conference of Mayors, the Metropolitan Mayors Caucus and the Neighborhood Watch.

Mayor Jackson has also been a recipient of several notable awards, including the Illinois Woman of Achievement Award in 2000 and the Outstanding Patriotism Award from the State of Illinois V.F.W. in 2006. She is truly a committed public servant and a model citizen.

Mr. Speaker and Distinguished Colleagues, please join me in recognizing this special occasion as we celebrate Mayor Jackson's faithful service to the Village of Glendale Heights.

IN RECOGNITION OF THE
RETIREMENT OF OVAL JAYNES

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. ROGERS of Alabama. Mr. Speaker, I would like to pay tribute to a very special Athletic Director today, Oval Jaynes.

Jaynes has served as Athletic Director at Jacksonville State University in Jacksonville, Alabama for the past three years and on April 30, 2011, Jaynes will retire.

JSU enjoyed much success Jayne's leadership, winning numerous Ohio Valley Conference Championships and advancing to NCAA postseason play, and more than 300 student-athletes posted a 3.0 grade point average or higher in the classroom. Jaynes, who spent more than 20 years in coaching, including three years as the head football coach at Gardner-Webb, began his administrative career as an Assistant Athletic Director and Associate Athletic Director at Auburn University from 1981–1986.

He was Athletics Director at Colorado State for five years before taking over at the University of Pittsburgh. He led the Panther athletic department from 1991 until 1996, when he moved to Director of Athletics at the University of Idaho. He then spent five years at Chattanooga as Director of Athletics and then another year at UTC as Special Assistant to the Chancellor.

Fourteen of his former staff members went on to serve as Athletic Directors at Division I Institutions, including Jay Jacobs at Auburn University and Mark Hollis at Michigan State University.

Forty of his former staff members and players have gone on to become head football coaches, including Skip Holtz and Urban Meyer, and 61 have become NFL assistant coaches. Additionally, three of his former coaches went on to become head coaches in the NFL.

Jaynes has served on different NCAA committees, the NCAA Council, the Nominating Committee and chair of the District VII Post-Graduate Scholarship Committee. In 1999, he received the General Robert R. Neyland Award for Lifetime Achievement by the All-American Football Foundation and in 2002, the Bill Wade Unsung Hero Award. In 2008, he was inducted into the Burke County Sports Hall of Fame in his hometown of Morganton, N.C.

Jaynes was born on July 25, 1940, and is a graduate of Appalachian State University. Jaynes is married to Pricilla and has two sons, Lee and Brandon and three grandchildren. I'm proud to congratulate Oval Jaynes on his retirement and thank him for his service to JSU.

RECOGNIZING THE 2010–2011 CONGRESSIONAL YOUTH ADVISORY COUNCIL FOR 500 HOURS OF OUTSTANDING SERVICE TO THE COMMUNITY—NATHAN LEE

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my pleasure and privilege to inform the Members of the United States House of Representatives that the students of the 2010–2011 Congressional Youth Advisory Council (CYAC) from the Third District of Texas have completed a total of 500 community service hours, fulfilling and far-surpassing the requirements of their assigned CYAC in the Community service project.

This year 46 students from public, private, and home schools in grades 10 through 12 made their voices heard by joining CYAC. As the Third District's young ambassadors to Congress, these bright high school students met with me on a quarterly basis to discuss current events and public policy. These impressive young people recognize an important truth: the heart of public service is found when giving back to the community. CYAC students volunteered their time and talents with over 30 organizations including Adopt-A-Highway, Habitat for Humanity, Meals on Wheels, Teen Court, and the USO, to name a few. As one student shared, "CYAC in the Community has allowed me to realize my calling to serve those in the U.S. Armed Forces." I am beyond thrilled that CYAC has helped students unleash their full potential and chase their dreams.

President George H.W. Bush once said, "A volunteer is a person who can see what others cannot see; who can feel what most do not feel. Often, such gifted persons do not think of themselves as volunteers, but as citizens—citizens in the fullest sense: partners in civilization."

With this statement as a benchmark, I am proud to congratulate the members of the 2010–2011 Congressional Youth Advisory Council for showing themselves to be outstanding young citizens of this Nation. It is my privilege to submit summaries of their work to the CONGRESSIONAL RECORD to be preserved for posterity and antiquity. To these young public servants, thank you, and keep up the great work! I salute you!

A copy of each submitted student summary follows:

Volunteering through the lens of Congressional Youth Advisory Council has given me an opportunity to view my volunteering for church, community, and mission trips with hope, compassion, and a deeper appreciation of volunteering. With this charge in mind, I volunteered for a local church event during the fall and helped restore and clean a retired veteran's yard. I believe CYAC's charge to serve in our community is a sign of a healthy and caring society. Through an individual's willingness and desire to help others in less fortunate circumstances, volunteering can lead to changed lives and changed communities. Through CYAC's efforts, my involvement in church and Senior Citizen Services has given me a path that displays desire and gratefulness to citizens in need. A simple act of cleaning up for one in need is a solution to an elderly veteran

who served our country with honor and with distinction. In addition, volunteering gives us opportunities to form relationships with people we would normally not bond with. Through CYAC's efforts, I learned that a compassionate civil society can care for its citizens, which I believe is a foundation for a great and grateful society.

—Nathan Lee

HONORING MARGARET MARSH FOR HER CAREER AS DEAN OF THE FACULTY OF ARTS AND SCIENCES AT RUTGERS-CAMDEN

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. ANDREWS. Mr. Speaker, I rise today to pay tribute to Margaret Marsh, Outgoing Dean of the Faculty of Arts and Sciences and Distinguished Professor of History for her service to Rutgers-Camden University. After thirteen years of exemplary leadership, she is stepping down as Dean and re-joining the faculty.

Ms. Marsh earned her undergraduate degree from Rutgers-Camden University and later received her PhD in history from Rutgers-New Brunswick in 1974. Ms. Marsh distinguished herself as a leader, holding positions as professor, chair, and Dean within two different institutions of higher learning. Ms. Marsh was professor and Chair of the History Department at Temple University in 1997, then went on to become Dean of the Faculty of Arts and Sciences at Rutgers-Camden in 1998. After becoming Dean, Ms. Marsh earned a reputation as a renowned expert in women's history, gender history, American cultural history, and the connections between gender and medicine. Her award-winning research on these topics was funded by a multi-year grant from the National Endowment for the Humanities. She has shared these findings over the last thirty years, publishing several books, articles, and essays.

During her tenure, Ms. Marsh has worked to expand educational opportunities for students. Thanks to her dedicated leadership, Rutgers launched the nation's first PhD program in childhood studies and created new PhD programs in public affairs and computational and integrative biology. Ms. Marsh also presided over the Faculty of Arts and Sciences increasing its support for its endowment fund by over 800%. This increase produced more scholarships for students in need and funded more faculty research programs.

Mr. Speaker, please join me in congratulating Margaret Marsh on her career as Dean. Ms. Marsh has made a lasting impact on Rutgers' faculty and students, and I am inspired by her dedication and leadership to the university.

IN HONOR AND REMEMBRANCE OF
THOMAS H. GREER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in remembrance of Thomas H. Greer, a loving

husband and friend, and the Vice President of the Cleveland Plain Dealer newspaper.

Mr. Greer became editor of the Plain Dealer in 1990, becoming only one of three African-American journalists to hold such a position at a major daily newspaper at that time.

Known to colleagues as Thom, he served as a role model for young and aspiring journalists. His work ethic was, as he told the newspaper in 1992, to "keep your mouth shut, hold your head up high and work like hell to make yourself and those around you as good as they can be."

Mr. Greer was born in Nashville, Tennessee, but moved to New Jersey during his childhood. He majored in history at Dillard University in New Orleans, and later attended Rider College and Rutgers University.

In 1964, Greer was hired by the Evening Times in Trenton, NJ as a sports journalist. He moved to the Plain Dealer in 1974, where he served on the suburban news unit. His stories investigating shakedowns of late-night liquor stores and thefts of confiscated liquor by Cuyahoga County Sheriff officer, led to their arrests.

Mr. Greer left the Plain Dealer for larger papers in Chicago, Philadelphia and New York, but returned in 1983 as editor of the sports department. He expanded their news coverage from exclusively local sports to national and international stories.

Mr. Greer worked as Managing Editor, Executive Editor and eventually Editor, as he oversaw the expansion of the paper, the creation of new bureaus in other counties, and expanded coverage of upcoming issues. In 1992, he became Vice President and oversaw community outreach, volunteerism, affirmative action employment and the Plain Dealer Charities, as well as the Plain Dealer High School Newspaper Workshop.

In addition to his many roles with the Plain Dealer, he served as a trustee of the Greater Cleveland Roundtable, WVIZ-TV, the City Club, and the National Junior Tennis Association. He was honored by Kaleidoscope Magazine and inducted into the Region VI Hall of Fame of the National Association of Black Journalists.

Mr. Speaker and colleagues, please join me in remembering Thomas H. Greer, whose legacy of professionalism, positive work ethic, and commitment to justice will forever serve as an example. I extend my sincere condolences Mr. Greer's wife Maxine and to his family, friends and colleagues that knew him best.

RECOGNIZING THE 2010-2011 CONGRESSIONAL YOUTH ADVISORY COUNCIL FOR 500 HOURS OF OUTSTANDING SERVICE TO THE COMMUNITY—ALYSSA JOHNSTON

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my pleasure and privilege to inform the Members of the United States House of Representatives that the students of the 2010-2011 Congressional Youth Advisory Council (CYAC) from the Third District of Texas have completed a total of 500 community service

hours, fulfilling and far-surpassing the requirements of their assigned CYAC in the Community service project.

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President George H.W. Bush once said, "A volunteer is a person who can see what others cannot see; who can feel what most do not feel. Often, such gifted persons do not think of themselves as volunteers, but as citizens—citizens in the fullest sense: partners in civilization."

With this statement as a benchmark, I am proud to congratulate the members of the 2010-2011 Congressional Youth Advisory Council for showing themselves to be outstanding young citizens of this nation. It is my privilege to submit summaries of their work to the CONGRESSIONAL RECORD to be preserved for posterity and antiquity. To these young public servants, thank you, and keep up the great work! I salute you!

A copy of each submitted student summary follows:

When I was informed CYAC members would be asked to volunteer time to make a difference in the lives of others I began to look for the perfect serving opportunity. I found it at HOPE Resource Center. My job as Diaper and Wipe Coordinator for the Blessings Boutique is to contact churches and inform them about HOPE Resource Center and the blessings that HOPE brings to the young women in our community. I ask them to hold a drive to collect diapers and wipes and then deliver them to HOPE. I help the churches by providing information to pass along to their members about the Christ-centered ministry opportunities of HOPE. I stay in contact with the churches and help them with anything they need for the diaper drive. Once the church is done collecting diapers and wipes I arrange a time for them to drop off the donations they collected. I look back today and I can see the difference I have made in my community. I have impacted the lives of numerous young mothers and their babies. I have gained new insights in the lives of people touched by community service. I have a new found passion for serving others in my community.

—Alyssa Johnston

RESTROOM GENDER PARITY IN FEDERAL BUILDINGS ACT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. TOWNS. Mr. Speaker, public restrooms have been the site of institutional discrimina-

tion by race, physical ability and gender. Women are often forced to wait in long lines to use public restrooms, while men rarely have the same problem. It is an inconvenience seen in almost every type of public building; be it a sporting venue, office building, airport or a building designed for recreational activities. Many of these establishments were constructed decades ago, during a time in which many women did not travel, hold the same jobs as men, receive the same level of education or have the same type of social life as they do today.

The issue of inadequate accommodations in women's restrooms may be found in many professional places of employment. Restroom gender parity is an issue of equality and health. In the year 2011, it is unfathomable to think that American women are still being discriminated against by infrastructural disparities in public buildings.

Unfortunately, this is the sad truth exhibited in nearly all public buildings today. A one-to-one ratio of toilets in female restrooms to toilets in male restrooms sounds like a requirement that ought to have existed decades ago; yet there are still fewer female accommodations compared to male accommodations in many public structures.

This is why supporting the bipartisan Restroom Gender Parity in Federal Buildings Act is necessary not only for the advancement of gender parity, but for the general well being and health of women everywhere. This bill will require any Federal building constructed for public use to have a 1 to 1 ratio for toilets, including urinals in women's and men's restrooms. Moreover, the bill will impact future Federal projects by mandating that preference for Federal leasing considerations be given to buildings that already meet this criteria.

Mr. Speaker, I urge my colleagues to join me in passing this common sense legislation to address the inadequacies in our federal infrastructure.

IN HONOR AND REMEMBRANCE OF MARY ELIZABETH FLAHIVE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Mary Elizabeth Flahive, whose life was marked by her strong ties to the Cleveland community.

Mary was born in Northampton, Massachusetts. She obtained both an undergraduate and graduate degree in Geology. She then spent ten years working at the Springfield, Massachusetts Museum of Natural History.

She moved to Cleveland, Ohio, where she began her 42 year career with the Cleveland Natural History Museum. Her career began with an expedition to Colorado, where she assisted in a dinosaur excavation.

Her tenure at the Natural History Museum was marked by achievement after achievement. She set up the Camp Bigfoot program at the museum, a program which is still active to this very day. She also set up other programs such as the Western Heritage Expeditions.

Her mark on the community expands further than just her work at the Natural History Museum. Friends of hers, the Anderson Family,

remember fondly the time she replanted their son's garden after rain had washed it away. In fact, a friend of Mary's recalled that she "believed firmly in all children and in the beauty of the earth."

Mr. Speaker and colleagues, please join me today in honoring the life of Mary Elizabeth Flahive. She is a wonderful example to us all in her devotion to the earth and to her community.

RECOGNIZING THE 2010-2011 CONGRESSIONAL YOUTH ADVISORY COUNCIL FOR 500 HOURS OF OUTSTANDING SERVICE TO THE COMMUNITY

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my pleasure and privilege to inform the Members of the United States House of Representatives that the students of the 2010-2011 Congressional Youth Advisory Council (CYAC) from the Third District of Texas have completed a total of 500 community service hours, fulfilling and far-surpassing the requirements of their assigned CYAC in the Community service project.

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President George H.W. Bush once said, "A volunteer is a person who can see what others cannot see; who can feel what most do not feel. Often, such gifted persons do not think of themselves as volunteers, but as citizens—citizens in the fullest sense: partners in civilization."

With this statement as a benchmark, I am proud to congratulate the members of the 2010-2011 Congressional Youth Advisory Council for showing themselves to be outstanding young citizens of this nation. It is my privilege to submit summaries of their work to the CONGRESSIONAL RECORD to be preserved for posterity and antiquity. To these young public servants, thank you, and keep up the great work! I salute you!

A copy of each submitted student summary follows:

I served at two different places: they were the Frisco Miracle League and Anne Frank Elementary school. I learned a lot while serving at these two places. I learned how to appreciate life more and be a kinder person. Community service always teaches me life

lessons. The Miracle League has taught me how to live up life and be thankful for every blessing I receive while also being kind and courteous to every person I meet in the process. The Anne Frank Elementary school has taught me how to pour my life into another person and just how important giving someone your time really is to them. I am always talking about how much I learn from community service. Community service does more for the person serving than the person being served. I am thankful for all my endless blessings and how God proves many valuable lessons in serving others.

—Michael Jarvie

COMMENTS BY SARAH STOESZ, PRESIDENT AND CEO OF PLANNED PARENTHOOD MINNESOTA, NORTH DAKOTA, SOUTH DAKOTA

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Ms. MCCOLLUM. Mr. Speaker, I rise today to submit a letter from Sarah Stoesz, President and CEO of Planned Parenthood Minnesota, North Dakota, South Dakota.

This letter was written in response to remarks made by one of my Republican colleagues on the House floor on February 17, 2011. During debate on an amendment to H.R. 1, this Member grossly mischaracterized comments that Ms. Stoesz made in the Wall Street Journal regarding Planned Parenthood's new express clinics model. This Member's comments constituted a personal attack against Ms. Stoesz. Such an attack on a citizen-leader is inconsistent with the best traditions of the House. I believe every Member of Congress has the responsibility to speak thoughtfully, respectfully and accurately on the House floor—that standard should apply during debate with our House colleagues and certainly to references to private American citizens.

Planned Parenthood's 26 Minnesota clinics provide essential reproductive health services to over 60,000 women and men each year. The express model increases access to a broad range of health services provided by Planned Parenthood. These services which include cancer screenings, affordable family services, testing for sexually transmitted infections, HIV testing and counseling and routine physicals enable Planned Parenthood clients to live healthier lives and raise healthy families.

PLANNED PARENTHOOD,

Minneapolis, MN, Mar. 21, 2011.

Hon. BETTY MCCOLLUM,

Fourth District, Minnesota, Longworth Building, Washington, DC.

DEAR REP. MCCOLLUM: I am writing to seek your help in making a correction to the Congressional Record.

During the Feb. 17 U.S. House debate over the Pence Amendment, Rep. Michele Bachmann (R-MN) made a completely false statement about Planned Parenthood Minnesota, North Dakota, South Dakota, and wrongly attributed that statement to me. During the debate, Rep. Bachmann referred to a June 23, 2008, Wall Street Journal article, liberally adding her own commentary as she ostensibly quoted verbatim. At one point, she said:

"Sarah Stoesz, who heads the Planned Parenthood operation in my state of Minnesota,

said she recently opened three express centers in wealthy Minnesota suburbs and shopping centers and malls, in places where women are already doing their grocery shopping, picking up Starbucks, living their daily lives and stopping off for an abortion."

We would like the Congressional Record to show that:

1. I never used the words "wealthy" or "stopping off for an abortion."

2. Abortion is not available at any of our PLAN express model clinics, where the services are limited to birth control, pregnancy testing and testing for sexually transmitted infections. In fact, such basic, preventive services represent 95 percent of what we offer our mostly low-income patients.

I find it reprehensible that Rep. Bachmann would portray women as "stopping off for an abortion." And I strongly object to being misquoted and to the misstatement of facts regarding our organization from the floor of the U.S. House.

Thank you for any help you can give in correcting the record.

Very sincerely,

SARAH STOESZ,
President and CEO.

IN HONOR AND REMEMBRANCE OF MS. ELIZABETH TAYLOR

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of a legend of the silver screen, a relentless leader in the fight against AIDS, and an extraordinary woman, Ms. Elizabeth Taylor.

Elizabeth Taylor was born in London in 1932 to American parents. She moved with her family to Beverly Hills on the eve of the Second World War. Elizabeth's love for cinema manifested at an early age. Her first well-known performance came at the age of 12, when she played the title role in "National Velvet." From that point, Ms. Taylor lived her life in the public eye, and her name became synonymous with talent, beauty, and glamour. She went on to play such memorable roles as Angela Vickers in "A Place in the Sun," Helen Ellsworth in "The Last Time I Saw Paris," Martha in "Who's Afraid of Virginia Woolf?" and the title role in "Cleopatra," among many others. Throughout her more than 60-year-long career, Ms. Taylor was nominated for countless awards including two Academy Awards and the Screen Actors Guild's (SAG) Life Achievement Award in 1997.

Ms. Taylor was more than just a Hollywood icon. She was also known for her efforts in the fight against AIDS. She was an advocate for AIDS prevention and research at a time when the disease was still a taboo subject for many. She famously stated "I will not be silenced and I will not give up and I will not be ignored." She was the founding international chairman of the American Foundation for Aids Research (amFAR), and was known for her compassion for those living with the disease. As a result of her service, Ms. Taylor received numerous accolades. In 1992 she was the recipient off the Jean Herscholt Humanitarian Academy Award. On May 16, 2000, Queen Elizabeth II named her a Dame Commander of the Order of the British Empire. In 2001, Ms. Taylor received a Presidential Citizens

Medal due to her work. On December 5, 2007, she was inducted into the California Hall of Fame.

Mr. Speaker and Colleagues, please join me in honor and remembrance of a woman whose cinematic brilliance, grace, and devotion to fighting AIDS will not soon be forgotten. I extend my sincerest sympathies to her sons, Michael and Christopher, her daughters Liza and Maria, and to her friends and family.

RECOGNIZING THE 2010–2011 CONGRESSIONAL YOUTH ADVISORY COUNCIL FOR 500 HOURS OF OUTSTANDING SERVICE TO THE COMMUNITY—ARIN MCGOVERN

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my pleasure and privilege to inform the Members of the United States House of Representatives that the students of the 2010–2011 Congressional Youth Advisory Council, CYAC, from the third district of Texas have completed a total of 500 community service hours, fulfilling and far-surpassing the requirements of their assigned CYAC in the Community service project.

This year 46 students from public, private, and home schools in grades 10 through 12 made their voices heard by joining CYAC. As the third district's youth ambassadors to Congress, these bright high school students met with me on a quarterly basis to discuss current events and public policy. These impressive young people recognize an important truth: the heart of public service is found when giving back to the community. CYAC students volunteered their time and talents with over 30 organizations including Adopt-A-Highway, Habitat for Humanity, Meals on Wheels, Teen Court, and the USO, to name a few. As one student shared, "CYAC in the Community has allowed me to realize my calling to serve those in the U.S. Armed Forces." I am beyond thrilled that CYAC has helped students unleash their full potential and chase their dreams.

President George H.W. Bush once said, "a volunteer is a person who can see what others cannot see; who can feel what most do not feel. Often, such gifted persons do not think of themselves as volunteers, but as citizens—citizens in the fullest sense; partners in civilization."

With this statement as a benchmark, I am proud to congratulate the members of the 2010–2011 Congressional Youth Advisory Council for showing themselves to be outstanding young citizens of this nation. It is my privilege to submit summaries of their work to the CONGRESSIONAL RECORD to be preserved for posterity and antiquity. To these young public servants, thank you, and keep up the great work! I salute you!

A copy of each submitted student summary follows:

For the past three years I have participated in the Addison Rotary golf tournament benefitting Ronald McDonald House of Dallas. My mother has been the treasurer of the Rotary club for the past four years so I have been able to see the inner workings of the

tournament. During the last tournament my mother was really busy at work so I took charge of both the silent and live auctions involved with the tournament. The past tournament was able to raise over \$200,000 for Ronald McDonald House of Dallas. Having to lead a group of people who are older than I am was very intimidating and slightly scary. The tournament has provided me with a great amount of leadership experience. It has also helped me realize the effort that goes into a community service project. The tournament has helped me develop a devotion to community service and the people around me.

—*Arin McGovern*

HONORING JOE HUNT ON HIS RETIREMENT

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. CARNAHAN. Mr. Speaker, at this time of his retirement, I rise to honor an outstanding citizen of Missouri and St. Louis, Joseph J. Hunt. Joe's life and career fully embody the American values of concern for his fellow citizens, untiring determination, and sincere love of family.

Following in the footsteps of his father and grandfather, Joe Hunt joined the Iron Workers Local Union No. 396 and became a Business Manager. His leadership and commitment to serving others were recognized by his fellow union members and led to numerous positions, including General Organizer, President of the Iron Workers District Council of St. Louis, and General Treasurer. In 2001 and again in 2006, Joe was elected General President of the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers. Among his many accomplishments was the creation of the Ironworker Management Progressive Action Cooperative Trust, a partnership between ironworkers and management.

His fortitude, ability, and dedication to others were recognized by those outside of the iron workers community as well. Joe was elected a Vice President at the AFL–CIO, appointed to the labor-management coalition PRIDE, and elected Chairman of the Union Labor Life Insurance Company. Joe has always showed a genuine and humble ambition to make things happen for the betterment of others: good jobs, fair wages and benefits for the working men and women of America.

Joe Hunt has also been a consistent force for community progress at both the regional and national level. His efforts as a Commissioner of Lambert St. Louis International Airport, a member of the Missouri Atomic Energy Commission, a Trustee of the Arch Mutual Fund, Chairman of the National Stack and Chimney Committee, and Board Member of the Maria Droste Home, among many others, demonstrate a commendable aspiration to serve St. Louis, Missouri, and our entire Nation.

Joe's life has been distinguished by a deep devotion to his family. He and his wife Jan have been married for 47 years and raised four children. Joe has also been blessed with nine loving grandchildren. Bonded together by the affection of Joe and Jan, the entire family has chosen to live in St. Louis.

Throughout an illustrious career, Joe Hunt has successfully worked for the good of others and has had a significant positive impact on many. Joe Hunt's years of steadfast loyalty to the union movement, his community, his Nation, and his family reflect the ideals of love, loyalty, and devotion; individual traits of the private citizen leader that has made America great.

IN REMEMBRANCE OF ARCHIE CATAVOLOS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Archie Catavolos, an outstanding individual who devoted himself completely to his country and community.

Archie was born and raised in Cleveland, Ohio. In the early years of his life, he developed a passion for sports. He played football, baseball and he wrestled for John Hay High School. After high school, the Second World War began and Archie decided it was his duty to serve his beloved country. He originally joined the U.S. Navy, and was eventually shipped out as a corpsman with the 7th Marines, Second Platoon, Fox Company. For his service and devotion to his country he became a decorated serviceman. He received a U.S. Silver Star and two Purple Hearts for the valiant courage he displayed during the battles of Pelelieu and Okinawa.

After the war, he decided to serve his community by becoming a Cleveland Policeman. Throughout his 30 years on the force, he worked as a patrol man, a detective hunting down organized crime, and an upholder of morals on the City Smut squad. He was chosen to protect President John F. Kennedy when he came to Cleveland in the 1960s. Upon his retirement from the Cleveland Police Department, Archie was appointed to lead security for the Cleveland School System's desegregation superintendent. He served with the city's school system for 15 years.

Furthermore, Archie was a proud Mason. His local lodge was the John W. Barkley Lodge 621 of F.&A.M. It was a proud honor that he shared with his four brothers, Michael, Peter, Louis and Pete.

Mr. Speaker and colleagues, please join me in remembering the life and times of a truly remarkable individual. Archie will always be remembered for his devotion to both country and community.

RECOGNIZING THE 2010–2011 CONGRESSIONAL YOUTH ADVISORY COUNCIL FOR 500 HOURS OF OUTSTANDING SERVICE TO THE COMMUNITY—JAKE LOFMAN

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

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President George H.W. Bush once said, "A volunteer is a person who can see what others cannot see; who can feel what most do not feel. Often, such gifted persons do not think of themselves as volunteers, but as citizens—citizens in the fullest sense: partners in civilization."

With this statement as a benchmark, I am proud to congratulate the members of the 2010–2011 Congressional Youth Advisory Council for showing themselves to be outstanding young citizens of this Nation. It is my privilege to submit summaries of their work to the CONGRESSIONAL RECORD to be preserved for posterity and antiquity. To these young public servants, thank you, and keep up the great work! I salute you!

A copy of each submitted student summary follows:

I volunteered at Dallas ramps in Dallas, TX in late October. I served with YMSL or Young Men's Service League. This was my 51th time to do Dallas Ramps. I liked this because I was able to build something with my hands and help my community at the same time. I built a ramp up to the building code in about 6 hours with the help of only four other people. We used pressure treated wood so it would last and spent much time building the ramp. The excitement of the recipient was incredible to watch. It makes their life so much easier. Usually these people can barely walk or are confined to a wheelchair. Now instead of struggling to climb up and down stairs or to be carried they have a nice non-steep ramp they can easily walk down or up. This helps the low income people of our society that are also handicap.

—*Jake Lofman*

RECOGNIZING THOSE WITH
TOURETTE SYNDROME ON THE
OCCASION OF THE TOURETTE
SYNDROME ASSOCIATION'S AN-
NUAL ADVOCACY DAY

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. ISRAEL. Mr. Speaker, I rise today to recognize those with Tourette Syndrome on

the occasion of the Tourette Syndrome Association's annual National Advocacy Day, which was Thursday, March 31, 2011.

Tourette Syndrome is a neurobiological disorder characterized by involuntary tics. It often goes undiagnosed, but the Association estimates that some 200,000 people in the United States are known to have the disorder. No definite cause has been found, but research points to abnormal metabolism of a key brain hormone, spurred by a gene that is likely inherited. There is about a 50% chance of a parent with Tourette Syndrome passing it along to their child and sons are three times more likely than daughters to exhibit symptoms of Tourette Syndrome.

On Thursday I met with a young man from my district, Jared Bloch, who passed along a letter written by his brother Tyler, who suffers from Tourette Syndrome. Below is the text of the letter, but I wanted to quote one part: "I love myself no matter who I am. Tourette's is an obstacle I can overcome and it helped me become a much better person." Tyler is wise beyond his 12 years. I hope he can serve as a role model for those with Tourette Syndrome and I hope his family can serve as an inspiration for all of those who know someone with Tourette Syndrome.

Hello. My name is Tyler Bloch, I am 12 years old, and my brother (Jared Bloch) is one of the ambassadors you talked or will talk to. I was diagnosed with Tourette's syndrome in 2nd grade and currently I am in the 7th grade. The main reason I am writing this letter is because I wanted to tell you how TS affects my life and how it affects others.

Throughout elementary school and middle school I was always questioned. "Why do you do that?" "Why do you twitch like that?" The only response I could say was, "I don't know." I was always afraid to tell people about my condition because I thought people would laugh. Although TS does not affect my academics, it affects my self control. I would always have the urge to rant at the top of my lungs, but I couldn't. Every day I had to wait until I return home to get my energies and tics out.

My family has a tough time coping with all the mayhem in the house, but they try their best to ignore my loudness and annoyingness. Once a week I would see a psychiatrist and or a psychologist to try to help me. It is very hard to try to find a local and experienced psychologist that could help me. My mom always tries her best to find one. I would never really want to go, but I had to in order to help my family and me. I always feel horrible for my family because I tend to be very annoying. I clap loudly; yell loudly, get distracted, worry, and all these things are very harsh on my family.

I never mean any of these annoying behaviors, but that was the way I was built. Nothing can stop it. On the bright side, Tourette's eventually goes away, but for now I will have to try to do my best.

This program means a lot to me and I appreciate all your hard work and dedication to the TSA. Thank you so much and you have no idea how this makes me feel. It shows that there is hope and that other people care. I could not ask for a better family. They love me, always try their best to help me, make me laugh, and that is the perfect combination of a well-rounded family. I love myself no matter who I am. Tourette's is an obstacle I can overcome and it helped me become a much better person. Without TS I would not be the person I am today so this condition makes me myself and there is nothing I would change about that.

Sincerely,

TYLER S. BLOCH.

END UNNECESSARY COSTS
CAUSED BY REPORT MAILING ACT

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. YOUNG of Florida. Mr. Speaker, every year federal law requires community water systems to spend thousands of dollars mailing a Consumer Confidence Report (CCR) few people actually read. Last week, thanks to the Mayors' Council of Pinellas County, Florida and several of my constituents, I introduced H.R. 1340, the End Unnecessary Costs Caused by Report Mailing Act, which would end the mailing requirement, saving our local communities money in this tough economic climate.

During the last reauthorization of the Safe Drinking Water Act, a provision was included requiring each water system to annually produce a CCR, which contains information on the source and quality of water within a water system. This report is important so that consumers are routinely informed about the safety of their water. Every year approximately 53,000 water systems are required to produce a CCR. However, while the report itself contains important information that should be available, federal law also requires all water systems mail the report to every household.

Water systems in my district have received numerous complaints since the requirement was implemented, including that mailing these reports is a waste of money and that it would be more effective to have a simple statement on their bill that their water is certified safe. While the costs of printing and mailing these reports vary depending on the number of customers in the system, in 2009, printing and mailing the CCR cost one water system in my district \$30,565 and another \$6,785.

My legislation would not stop the production of the CCR, it would simply target the costly mailing requirement. Instead of having to mail the report to every customer, water systems that tested safe for the past year could choose to notify their customers of that fact on their monthly bill, while making the full CCR available on their website or by mail upon request. Water systems where the water tested unsafe would still have to mail the CCR to their customers.

Mr. Speaker, at a time when local government budgets are already strained, it is unnecessary to require that our local water systems mail the report to every household when advancements in technology have provided alternative formats to distribute this information. H.R. 1340 seeks to remove this burdensome regulation and I urge my colleagues to support this measure.

HONORING THE LIFE OF CHARLES
McGLASHAN

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Ms. WOOLSEY. Mr. Speaker, I rise with a heavy heart today to honor my friend, Marin County Supervisor Charles McGlashan, who passed away suddenly on March 27 at the

age of only 49. Charles was a good man and a dedicated public servant who represented his community with uncommon diligence and decency.

Charles was passionate and relentless in pursuit of important causes, exercising strong leadership to champion the SMART (Sonoma-Marin Area Rail Transit) train, the Marin Energy Authority, the Marin Economic Forum, a ban on plastic shopping bags, and even a resolution urging the U.S. to withdraw from the Iraq war. He cared about people; he cared about the environment; and he cared about a just and peaceful world.

Born July 15, 1961 in Hillsborough, California, Charles attended Yale and Stanford Universities before settling in Marin County in 1991. As a business consultant, his focus was on environmental issues and he quickly became a leader in local groups like the Mann Conservation League and the Environmental Education Council of Marin.

His green activism helped him earn an appointment to a vacancy on the Marin Municipal Water District Board in 2003. A year later he won election to the Board of Supervisors, where he was in the middle of his second term at the time of his death.

During his tenure in public service, Charles demonstrated a grasp of complex issues and an eloquent speaking style. Whatever his fervor, he always listened to other viewpoints. He was both a principled advocate and a pragmatic consensus-builder. I knew I could count on him as a true partner on issues important to the 6th Congressional District.

Charles is survived by his wife, Carol Misseldine, whom he met when both worked for Natural Strategies, a sustainability organization, as well as two brothers.

Mr. Speaker, Charles McGlashan brought to the Board of Supervisors a visionary's commitment to the environment and an acute sense of right and wrong. He embodied the very best of Marin County's spirit of progressive activism. Like so many in the community, I will miss his big smile, his good heart and his infectious personality. He leaves behind a legacy of important work. His memory must inspire us to continue that work in his honor.

AGENT ORANGE EQUITY ACT: GIVE COMBAT VETERANS WHAT THEY DESERVE

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. FILNER. Mr. Speaker, in passing the Agent Orange related laws in 1984 and 1991, Congress made clear that it wanted to ensure that a fair and independent system was established to determine the relationship between herbicide exposure and the manifestation of certain diseases in our veterans.

Congress also was concerned that exposure to Agent Orange could not be determined by tracking troop movements.

As such, my bill, H.R. 812, the Agent Orange Equity Act of 2011, would expand the eligibility for presumptive conditions to combat veterans of the Vietnam War to include Blue Water veterans, those who received the Vietnam Service Medal and the Vietnam Campaign Medal, or served on Johnston Island

during a specified period when undisputed evidence shows 250,000 gallons of Agent Orange leaked and contaminated the scarce water supply.

Before 2002, VA relied on veterans providing evidence of receipt of the Vietnam Service Medal to allow veterans to be presumptively service-connected for diseases identified as being related to Agent Orange exposure.

Against public outcry, VA unjustifiably reversed its own regulations.

H.R. 812 would reinstate this practice by requiring VA to go back to this fair way of determining service-connection and equitably adjudicating these claims.

These are benefits that these veterans have earned, yet the VA illogically refuses to acknowledge.

Time is running out for these Vietnam veterans and their families. I remain committed to restoring equity for our veterans as do so many of our colleagues. That is why in the 111th Congress, this exact same bill enjoyed the support of over 260 co-sponsors. I also point out that Vietnam Veterans of America also supports this bill.

I strongly urge my colleagues to support equity for our combat veterans of Vietnam exposed to this toxic and deadly cocktail of herbicides.

RECOGNIZING THE 2010-2011 CONGRESSIONAL YOUTH ADVISORY COUNCIL FOR 500 HOURS OF OUTSTANDING SERVICE TO THE COMMUNITY—DANIELLE KASPER

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my pleasure and privilege to inform the Members of the United States House of Representatives that the students of the 2010–2011 Congressional Youth Advisory Council (CYAC) from the Third District of Texas have completed a total of 500 community service hours, fulfilling and far-surpassing the requirements of their assigned CYAC in the Community service project.

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President George H.W. Bush once said, "A volunteer is a person who can see what others cannot see; who can feel what most do not feel. Often, such gifted persons do not

think of themselves as volunteers, but as citizens—citizens in the fullest sense: partners in civilization."

With this statement as a benchmark, I am proud to congratulate the members of the 2010–2011 Congressional Youth Advisory Council for showing themselves to be outstanding young citizens of this nation. It is my privilege to submit summaries of their work to the CONGRESSIONAL RECORD to be preserved for posterity and antiquity. To these young public servants, thank you, and keep up the great work. I salute you.

A copy of each submitted student summary follows:

For my five hours of community service I volunteered at my church, preparing food boxes for Thanksgiving. Every year my church helps put together Thanksgiving food boxes. I always look forward to it each year because my mom and I always go shopping for it. It's a way to help people less fortunate than us. It allows them to have a big Thanksgiving meal just like everyone else. No one should have to miss a holiday with their family for any reason, especially if they just simply can't afford it. Community service to me is anything where you help people with their lives. It doesn't matter how big or small the act may be, it's just making an impact on their lives that makes a difference. It can help to put hope back in people's lives or to let them know that there are people out there that work to help others.

—Danielle Kasper

TRIBUTE TO RUTH AND STEPHEN HENDEL

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mrs. LOWEY. Mr. Speaker, I rise today to pay tribute to Ruth and Stephen Hendel of Larchmont, New York, recipients of the Jewish Theological Seminary's 2011 Louis B. Marshall Award. This award recognizes their commitment to principles to which Louis Marshall adhered as the Chairman of the Board of JTS from 1904 to 1929: exemplary ethics and communal commitment.

In addition to helping strengthen our community and economy through their demanding careers—Stephen in business and law and Ruth in theatre production—the Hendels have worked to ensure equal opportunity for all.

Their contributions have enhanced education programs, including at JTS, where both are actively involved. Stephen takes a unique interest in supporting rabbinical students while Ruth takes an active role on Chancellor Arnold M. Eisen's Arts Roundtable and on the Advisory Board of the Library to help expand students' access to cultural and literary works.

The Hendels' contributions to the New York arts community extend far beyond professional commitment. With a long list of production credits on and off Broadway, the Hendels co-conceived and co-produced the critically acclaimed musical *Fela!*, which was nominated for eleven Tony awards. The Hendels sought to highlight continued oppression and civil rights struggles around the world in their production, which chronicles the life of a legendary Nigerian musician who inspired a generation in his pursuit of human rights and freedom.

They also serve on boards of several important arts organizations. Mr. Hendel is on the boards of the Eugene O'Neill Theater Center, New Group, Culture Project, St. Ann's Warehouse, Afropop.org, and the African Museum for Art, and serves on various advisory committees at Yale University. Ms. Hendel serves on the boards of the Eugene O'Neill Theater Center, LABYRINTH Theater, The Play Company, and the Yale School of Drama Advisory Board.

In addition to their substantial contributions of their time and talents to JTS, Ms. Hendel received a Very Important Parent Award from the Board of Jewish Education and together they have been honored by Westchester/Fairfield County's Crohn's and Colitis Foundation and the Westchester Jewish Center of Marmonneck.

Married for thirty-three years, the Hendels have three adult children and a son-in-law—Abby and Guy, Sam, and Joe—and one grandson.

The Hendels' commitment to community service and investment in the arts is greatly appreciated and extolled. I urge you to join me today in recognizing their outstanding achievements.

REIMBURSE THE VA

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. FILNER. Mr. Speaker, I introduced H.R. 814, the "Medicare VA Reimbursement Act of 2011."

This legislation authorizes the establishment of a Medicare VA reimbursement program where HHS reimburses the VA for the provision of health care to Medicare eligible veterans for the treatment of non-service connected conditions at VA medical facilities.

Today, there are veterans who have earned VA health care benefits with their service to our country, as well as Medicare benefits by paying into the Social Security system during their working years. Even though these individuals have clearly earned both of these benefits, current law unfairly prohibits them from using their Medicare benefits at VA facilities even though they may feel more comfortable seeking care among their fellow veterans from VA providers who specialize in caring for veterans.

This is also inconsistent with the authorities granted to other federal entities such as the Indian Health Service (IHS) and the Department of Defense's (DOD) TRICARE for Life that are allowed to bill Medicare. IHS and DOD are able to augment their resources with Medicare collections and reinvest the extra funding back into their programs and services. H.R. 814 would provide equity in such billing practices among the federal entities. In other words, the VA would be able to access an important new source of revenues from Medicare which may be reinvested to further strengthen the VA's health care system.

In detail, this legislation requires the Secretaries of VA and HHS to establish a Memorandum of Understanding (MOU) no later than 6 months after the date of the enactment of the Act. The MOU must establish such program elements as the frequency of reimburse-

ment, the billing system, the data sharing agreement, and the payment rate. H.R. 814 also provides some guidelines on setting the payment rate so that the terms that contributed to the failure of the Medicare DOD Subvention Demonstration Project are not repeated again. For example, this legislation prohibits setting a reimbursement rate which is less than 100% of the amount that Medicare would pay a participating provider. It also prohibits annual caps on reimbursement and does not allow for a maintenance of effort requirement, which refers to the requirement that VA maintain a certain level of spending before they can be reimbursed from HHS.

Finally, H.R. 814 requires an annual report to Congress providing program data, as well as a triennial GAO report assessing the program impact.

I urge your support of this important legislation.

RECOGNIZING THE 2010-2011 CONGRESSIONAL YOUTH ADVISORY COUNCIL FOR 500 HOURS OF OUTSTANDING SERVICE TO THE COMMUNITY—TESS MICHAELS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my pleasure and privilege to inform the Members of the United States House of Representatives that the students of the 2010–2011 Congressional Youth Advisory Council (CYAC) from the Third District of Texas have completed a total of 500 community service hours, fulfilling and far-surpassing the requirements of their assigned CYAC in the Community service project.

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President George H.W. Bush once said, "A volunteer is a person who can see what others cannot see; who can feel what most do not feel. Often, such gifted persons do not think of themselves as volunteers, but as citizens—citizens in the fullest sense: partners in civilization."

With this statement as a benchmark, I am proud to congratulate the members of the 2010–2011 Congressional Youth Advisory Council for showing themselves to be outstanding young citizens of this nation. It is my privilege to submit summaries of their work to the CONGRESSIONAL RECORD to be preserved

for posterity and antiquity. To these young public servants, thank you, and keep up the great work. I salute you.

A copy of each submitted student summary follows:

The Red Cross has been an integral part of my life since I founded the school chapter as a freshman and served in the Dallas Red Cross as a Tiffany Circle Intern and the Dallas Red Cross Youth Leadership Council. I hope to inspire my peers to realize that work is its own reward and giving of one's time is the greatest gift. I have seen a strong spirit of volunteerism in the members in installing smoke detectors, organizing fundraisers, and coordinating blood drives. Over 200 members are now actively involved, and by inspiring others to volunteer, the impact on the community increases exponentially. Red Cross blood collections in January were the lowest seen in a decade due to the severe winter storms. I wanted to play an active role and organized a large blood drive as a part of my CYAC community project. I also had the privilege of serving as an attorney in the Plano Municipal Teen Court. I defend and prosecute students from different backgrounds and my hope is that students realize the importance of not letting their impulses take over their common sense and deter them from having a bright future ahead.

—Tess Michaels

INTRODUCTION OF THE LOCAL TAXPAYER RELIEF ACT OF 2011

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Ms. HIRONO. Mr. Speaker, today I rise to introduce the Local Taxpayer Relief Act of 2011, a bill to reauthorize the Impact Aid program.

The majority of public school funding in America comes from local property taxes. However, in areas with military bases, Indian lands, national parks, federal low-rent housing, or other federal property, local school districts cannot collect needed revenue.

Without relief: taxpayers in these federally impacted areas would need to pay more in local taxes to support the same level of education as areas with no federal impact. This is patently unfair.

In 1950, Congress recognized the need to address this inequity and created Impact Aid, the original federal K–12 education law. Impact Aid helps local taxpayers by reimbursing school districts for the costs of hosting federal property and educating federally connected children. Today, Impact Aid supports over 12 million children in more than 1,300 school districts in all 50 states, DC, and U.S. territories.

In Hawaii, we have Army, Navy, Air Force, and Marine bases where our brave men and women in uniform are stationed. Thousands of military-dependent children are students in Hawaii schools, but our state cannot collect local taxes from these bases. No matter what type of land you live on—and especially if your family serves our nation—all our children deserve a high-quality education.

Impact Aid is especially important now, as school districts nationwide continue to recover from the greatest recession since the Great Depression. Impact Aid funds come with few strings attached, helping districts support a wide range of vital services.

Impact Aid is currently Title 8 of the Elementary and Secondary Education Act, ESEA, also known as No Child Left Behind. As we work to reauthorize ESEA in the House Education and Workforce Committee this year, I am optimistic that we can improve Impact Aid in a bipartisan way.

My bill increases efficiency, eliminates subjectivity, and seeks funding equity. This bill has strong bipartisan support. The National Association of Federally Impacted Schools, NAFIS, worked tirelessly to develop this bill with the broad input of these impacted districts. The Impact Aid Coalition includes 105 Members of Congress.

The bill includes the following major improvements: maintains stability for school districts with military bases going through housing renovation and privatization; allows for an updated "current year count" when districts see a major influx of students due to troop deployment or other federal action; and expedites the U.S. Department of Education's payments, which currently run up to four years behind.

I thank my principal co-sponsor Congresswoman KRISTI NOEM of South Dakota for her partnership. I urge my colleagues to support this bill to provide relief to local taxpayers and ensure that all our children receive the education they deserve.

IN REMEMBRANCE OF THE REV.
DR. MARTIN LUTHER KING, JR.
ON THE ANNIVERSARY OF HIS
DEATH

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Ms. JACKSON LEE of Texas. Mr. Speaker, today the nation takes pause to observe the 43rd anniversary of the death of Dr. Martin Luther King, Jr. As a Member of the Select Committee on Assassinations that reinvestigated the murder of Dr. King, this day reminds me of that horrible day in 1968. Forty-three years ago today, the man who dreamed of a "more perfect union" was gunned down by American terrorist in Memphis, Tennessee, but his dream continues to become reality today. One cannot observe this day without reflecting on the life and legacy of a man who brought hope and healing to America. This anniversary reminds us that nothing is impossible when we are guided by the better angels of our nature.

The story of Dr. King is pressed upon me. I am reminded of my work with the Southern Christian Leadership Conference (SCLC) and hearing Dr. King's inspiring words fill a great void in our Nation, and answered our collective longing to become a country that truly lived by its noblest principles. Yet, Dr. King knew that it wasn't enough just to talk the talk, that he had to walk the walk for his words to be credible. And so we remember this man of action, who put his life on the line for freedom and justice every day.

We honor the courage of a man who endured harassment, threats and beatings, and even bombings. We commemorate the man who went to jail 29 times to achieve freedom for others, and who knew he would pay the ultimate price for his leadership, but kept on marching and protesting and organizing anyway.

Dr. King once said that we all have to decide whether we "will walk in the light of creative altruism or the darkness of destructive selfishness. Life's most persistent and nagging question, he said, is 'what are you doing for others?'"

And when Dr. King talked about the end of his mortal life in one of his last sermons, on February 4, 1968 in the pulpit of Ebenezer Baptist Church, even then he lifted up the value of service as the hallmark of a full life. "I'd like somebody to mention on that day Martin Luther King, Jr. tried to give his life serving others," he said. "I want you to say on that day, that I did try in my life . . . to love and serve humanity."

Mr. Speaker, these words were spoken by Dr. King two months to the day before his death. Thus it is 43 years after his death, Dr. King continues to teach us all.

Mr. Speaker, during these difficult days as we observe violence throughout the world, all should take pause to the message of non-violence and speak as Dr. King spoke truth to power.

Dr. King's dream did not stop at racial equality, his ultimate dream was one of human equality. There is no doubt that Dr. King supported freedom and justice for every individual in America. We continue that fight today and forever, in the great spirit that inspired the Rev. Dr. Martin Luther King, Jr.

Mr. Speaker, I thank all my colleagues for being here and remembering Dr. King's dream and for all that has been done to keep his dream alive.

PROTECT WORKERS RIGHTS

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. FILNER. Mr. Speaker, I would like to discuss H.R. 807, a bill which would allow collective bargaining over compensation related labor-management disputes. Examples of such disputes include locality pay, overtime pay, shift differential pay, and performance pay.

I would like to emphasize that my bill continues to protect the basic rates of pay so that VA employees cannot bargain over the federal pay scales. However, I have heard stories where a VA nurse's overtime pay is miscalculated but there is no recourse for addressing this inaccuracy.

H.R. 807 would also help VA with their recruitment and retention efforts since prospective employees would have the assurance that they will be treated fairly when it comes to the enforcement of pay laws and regulations.

I believe this bill is just the first step in protecting the employment rights of VA healthcare providers. It is the right thing to do for those hard-working men and women who care for our veterans every day.

I urge my colleagues to support this important legislation.

RECOGNIZING THE 2010-2011 CONGRESSIONAL YOUTH ADVISORY COUNCIL FOR 500 HOURS OF OUTSTANDING SERVICE TO THE COMMUNITY—GARRETT HERINGTON

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

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Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my pleasure and privilege to inform the Members of the United States House of Representatives that the students of the 2010-2011 Congressional Youth Advisory Council (CYAC) from the Third District of Texas have completed a total of 500 community service hours, fulfilling and far-surpassing the requirements of their assigned CYAC in the Community service project.

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A copy of each submitted student summary follows:

I had the opportunity to help out a charitable organization called V.O.L.T., which stands for Vision of Light Team. The 'Vision of Light Team' is an eyeglass mission. They have been to Cameroon twice and recently to Guatemala. They hold vision clinics and distribute used eyeglasses to those in need. They have also trained a team in Cameroon to do vision clinics. V.O.L.T. regularly sends both eyeglasses and money to support this ongoing mission. I worked directly with the head of the charity to clean, organize and label the operational items so the charity is ready for future missions. The project was done over the course of 4 weeks and the main project was preparing, cleaning and labeling eyeglass donations for a future trip to Cameroon, Africa.

The charity receives eyeglass donations from across the country. Once received, these glasses have to be sorted, evaluated, cleaned, tagged, and then sorted and re-packaged so they can be tested by an ophthalmologist for prescription strength. After this process, they are then shipped or accompanied by missionaries to Africa for free distribution through the United Methodist Church to those in need.

—Garrett Herington

HONORING THE ST. LOUIS SOCIETY FOR THE BLIND AND VISUALLY IMPAIRED

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. CARNAHAN. Mr. Speaker, I rise today to honor and acknowledge the St. Louis Society for the Blind and Visually Impaired. Founded in 1911, the St. Louis Society for the Blind has served the St. Louis community for the past 100 years. In those 100 years, they have been an asset to our city's blind and visually impaired citizens. They serve over 1500 individuals each year, providing them with training, vision rehabilitation, and educational and

support services; not just at home, but in their community and place of employment.

The Society does not limit their assistance to adults with visual impairments. They are also invaluable to the education of our visually impaired youth. Working within our public schools, the society facilitates learning, not just at an academic level, but at a personal level as well. They give our children the skills they need to have the independence and self-esteem that is so vital to the development of a child.

I want to thank the Society for all of its contributions to the people of St. Louis, and its continued efforts to make St. Louis a great place to live for the visually impaired. I know that the first 100 years were just the beginning, and that the next 100 will be just as successful.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, April 5, 2011 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 6

9:15 a.m.

Environment and Public Works

To hold hearings to examine state and local perspectives on transportation.

SD-406

9:30 a.m.

Banking, Housing, and Urban Affairs

Securities, Insurance and Investment Subcommittee

To hold hearings to examine the role of the accounting profession in preventing another financial crisis.

SD-538

10 a.m.

Appropriations

Department of Defense Subcommittee

To hold hearings to examine Department of Defense Health Programs.

SD-192

Foreign Relations

To hold hearings to examine perspectives on the crisis in Libya.

SD-419

Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Rafael Borrás, of Maryland, to be Under Secretary of Homeland Security for Management.

SD-342

Judiciary

To hold hearings to examine the Electronic Communications Privacy Act, focusing on government perspectives on protecting privacy in the digital age.

SD-226

Veterans' Affairs

To hold hearings to examine the nominations of Allison A. Hickey, of Virginia, to be Under Secretary for Benefits and Steve L. Muro, of California, to be Under Secretary for Memorial Affairs, both of the Department of Veterans Affairs.

SR-418

1:30 p.m.

Homeland Security and Governmental Affairs

Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee

To hold hearings to examine the census, focusing on learning lessons from 2010 and planning for 2020.

SD-342

2:30 p.m.

Foreign Relations

To hold hearings to examine the nominations of David Bruce Shear, of New York, to be Ambassador to the Socialist Republic of Vietnam, and Kurt Walter Tong, of Maryland, for the rank of Ambassador during his tenure of service as United States Senior Official for the Asia-Pacific Economic Cooperation (APEC) Forum, both of the Department of State.

SD-419

Armed Services

Strategic Forces Subcommittee

To hold hearings to examine strategic systems in review of the Defense Authorization request for fiscal year 2012 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SR-232A

United States Senate Caucus on International Narcotics Control

To hold hearings to examine the dangers of synthetic cannabinoids and stimulants.

SD-138

3 p.m.

Banking, Housing, and Urban Affairs

Financial Institutions and Consumer Protection Subcommittee

To hold hearings to examine the state of community banking, focusing on opportunities and challenges.

SD-538

APRIL 7

9:30 a.m.

Armed Services

To hold hearings to examine U.S. Transportation Command and U.S. Africa Command in review of the Defense Authorization request for fiscal year 2012 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-106

Energy and Natural Resources

To hold hearings to examine Department of Energy biofuel programs and biofuel infrastructure issues, including S. 187, to provide for the expansion of the biofuels market.

SD-366

Appropriations

Transportation and Housing and Urban Development, and Related Agencies Subcommittee

To hold hearings to examine an overview of the Federal Housing Administration and the future of housing finance.

SD-138

10 a.m.

Appropriations

Commerce, Justice, Science, and Related Agencies Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Federal Bureau of Investigation; to be followed by a closed session in SH-219 at approximately 11:15 a.m.

SD-192

Finance

To hold hearings to examine the nominations of David S. Cohen, of Maryland, to be Under Secretary for Terrorism and Financial Crimes, and Jenni Rane LeCompte, of the District of Columbia, to be Assistant Secretary, both of the Department of the Treasury.

SD-215

Judiciary

Business meeting to consider S. 410, to provide for media coverage of Federal court proceedings, S. 627, to establish the Commission on Freedom of Information Act Processing Delays, S. 394, to amend the Sherman Act to make oil-producing and exporting cartels illegal, and the nominations of Goodwin Liu, of California, to be United States Circuit Judge for the Ninth Circuit, Esther Salas, to be United States District Judge for the District of New Jersey, J. Paul Oetken, and Paul A. Engelmayer, both to be United States District Judge for the Southern District of New York, and Ramona Villagomez Manglona, to be Judge for the District Court for the Northern Mariana Islands.

SD-226

Small Business and Entrepreneurship

To hold hearings to examine Small Business Administration programs, focusing on eliminating inefficiencies, duplications, and fraud and abuse.

SR-428A

2 p.m.

Appropriations

Military Construction and Veterans Affairs, and Related Agencies Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Department of Defense and the Department of Navy.

SD-124

2:15 p.m.

Foreign Relations

East Asian and Pacific Affairs Subcommittee

To hold hearings to examine combating human trafficking in Asia.

SD-419

Indian Affairs

Business meeting to consider S. 675, to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity, and S. 676, to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes; to be immediately followed by an oversight hearing to examine the role of SBA 8(a) Program in enhancing economic development in Indian Country.

SD-628

2:30 p.m.

Homeland Security and Governmental Affairs

To hold hearings to examine securing the border, focusing on progress at the local level.

SD-342

Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

APRIL 11

4 p.m.

Appropriations

Commerce, Justice, Science, and Related Agencies Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2012 for

the National Aeronautics and Space Administration (NASA).

APRIL 12

10 a.m.

Armed Services

To hold hearings to examine U.S. Pacific Command and U.S. Forces Korea in review of the Defense Authorization request for fiscal year 2012 and the Future Years Defense Program; with the possibility of a closed session in SH-219 following the open session.

SD-106

10:30 a.m.

Homeland Security and Governmental Affairs

Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee

To hold hearings to examine the President's plan for eliminating wasteful spending in information technology.

SD-342

2:30 p.m.

Judiciary

Crime and Drugs Subcommittee

To hold hearings to examine cyber security, focusing on responding to the threat of cyber crime and terrorism.

SD-226

Homeland Security and Governmental Affairs

Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee

To hold hearings to examine financial literacy, focusing on empowering Americans to make informed financial decisions.

SD-628

APRIL 13

10 a.m.

Armed Services

Readiness and Management Support Subcommittee

To hold hearings to examine the current materiel readiness of U.S. Forces in review of the Defense Authorization Request for fiscal year 2012 and the Future Years Defense Program.

SR-232A

Veterans' Affairs

To hold hearings to examine veterans' employment, focusing on improving the transition from the battlefield to the workforce.

SR-418

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To receive a closed briefing on the United States Pacific Command (PACOM).

SVC-217

2:30 p.m.

Armed Services

Strategic Forces Subcommittee

To hold hearings to examine ballistic missile defense policies and programs in review of the Defense Authorization request for fiscal year 2012 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SR-232A

APRIL 14

10 a.m.

Energy and Natural Resources

To hold hearings to examine S. 343, to amend Title I of PL 99-658 regarding the Compact of Free Association between the Government of the United States of America and the Government of Palau, to approve the results of the 15-year review of the Compact, including the Agreement Between the Government of the United States of America and the Government of the Republic of Palau Following the Compact of Free Association Section 432 Review, and to appropriate funds for the purposes of the amended PL 99-658 for fiscal years ending on or before September 30, 2024, to carry out the agreements resulting from that review.

SD-366

MAY 4

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To receive a closed briefing on Intel.

SVC-217

MAY 11

10 a.m.

Appropriations

Department of Defense Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Guard and Reserve.

SD-192

MAY 12

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To receive a closed briefing on the United States Special Operations Command (SOCOM), and the United States European Command (EUCOM).

SVC-217

MAY 17

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To receive a closed briefing the United States Northern Command (NORTHCOM) and the United States Southern Command (SOUTHCOM).

SVC-217

MAY 25

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Missile Defense Agency.

SD-192

MAY 26

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To receive a closed briefing on the United States Central Command (CENTCOM) and United States African Command (AFRICOM).

SVC-217

JUNE 15

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To hold hearings to examine the Secretary of Defense and the Chairman of the Joint Chiefs of Staff.

SD-192

POSTPONEMENTS

APRIL 7

10 a.m.

Appropriations

Departments of Labor, Health and Human Services, and Education, and Related Agencies Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Department of Education.

SD-124

CORRECTION

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2063–S2093

Measures Introduced: Nine bills and three resolutions were introduced, as follows: S. 714–722, and S. Res. 127–129. **Page S2087**

Measures Reported:

S. 719, to authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System. (S. Rept. No. 112–12) **Page S2087**

Nomination Confirmed: Senate confirmed the following nomination:

By a unanimous vote of 86 yeas (Vote No. EX. 47), Jimmie V. Reyna, of Maryland, to be United States Circuit Judge for the Federal Circuit. **Pages S2075–79, S2093**

Messages from the House: **Page S2084**

Measures Referred: **Page S2084**

Measures Placed on the Calendar: **Pages S2063, S2084**

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Additional Cosponsors: **Pages S2088–89**

Statements on Introduced Bills/Resolutions: **Pages S2089–92**

Additional Statements: **Pages S2083–84**

Amendments Submitted: **Page S2092**

Notices of Intent: **Page S2092**

Notices of Hearings/Meetings: **Pages S2092–93**

Record Votes: One record vote was taken today. (Total—47) **Page S2079**

Adjournment: Senate convened at 2:00 p.m. and adjourned at 6:22 p.m., until 10 a.m. on Tuesday, April 5, 2011. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2093.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 23 public bills, H.R. 1341–1363; and 2 resolutions, H. Con. Res. 33; and H. Res. 201 were introduced. **Pages H2291–93**

Additional Cosponsors: **Pages H2293–94**

Reports Filed: Reports were filed today as follows:

H.R. 970, to reauthorize the civil aviation research and development projects and activities of the Federal Aviation Administration, and for other purposes, with an amendment (H. Rept. 112–52) and

H. Res. 200, providing for consideration of the joint resolution (H.J. Res. 37) disapproving the rule

submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices (H. Rept. 112–53). **Page H2291**

Speaker: Read a letter from the Speaker wherein he appointed Representative West to act as Speaker pro tempore for today. **Page H2271**

Recess: The House recessed at 12:08 p.m. and reconvened at 2 p.m. **Page H2272**

Suspension: The House agreed to suspend the rules and pass the following measure:

Reducing the amounts otherwise authorized to be appropriated to the Department of Defense for printing and reproduction: H.R. 1246, to reduce

the amounts otherwise authorized to be appropriated to the Department of Defense for printing and reproduction, by a $\frac{2}{3}$ ye-and-nay vote of 393 yeas with none voting "nay", Roll No. 225.

Pages H2273–75

Recess: The House recessed at 2:21 p.m. and reconvened at 6:30 p.m.

Page H2274

Recess: The House recessed at 9:21 p.m. and reconvened at 11:26 p.m.

Page H2289

Quorum Calls—Votes: One ye-and-nay vote developed during the proceedings of today and appears on pages H2274–75. There were no quorum calls.

Adjournment: The House met at 12 noon and adjourned at 11:27 p.m.

Committee Meetings

AMERICAN ENERGY INITIATIVE

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing entitled "The American Energy Initiative". Testimony was heard from public witnesses.

DISAPPROVING THE RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION WITH RESPECT TO REGULATING THE INTERNET AND BROADBAND INDUSTRY PRACTICES

Committee on Rules: The Committee granted, by a record vote of 7 to 3, a closed rule providing for consideration of H.J. Res. 37, disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices. The rule provides for one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. The rule waives all points of order against consideration of the joint resolution. The rule provides that the joint resolution shall be considered as read. The rule waives all points of order against provisions in the joint resolution. Finally, the rule provides one motion to recommend. Testimony was heard from Rep. Walden and Rep. Eshoo.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, APRIL 5, 2011

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Financial Service and General Government, to hold hearings to examine proposed budget estimates for fiscal year 2012 and oversight of prior year funding for the Department of the Treasury, 10 a.m., SD–138.

Committee on Armed Services: To hold hearings to examine U.S. Northern Command and U.S. Southern Command in review of the Defense Authorization request for fiscal year 2012 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session, 9:30 a.m., SD–G50.

Subcommittee on Airland, to hold hearings to examine Army modernization in review of the Defense Authorization Request for fiscal year 2012 and the Future Years Defense Program, 2:30 p.m., SR–232A.

Committee on the Budget: Business meeting to consider the nomination of Heather A. Higginbottom, of the District of Columbia, to be Deputy Director of the Office of Management and Budget, Executive Office of the President, Time to be announced, S–219, Capitol.

Committee on Commerce, Science, and Transportation: Subcommittee on Competitiveness, Innovation, and Export Promotion, to hold hearings to examine tourism in America, focusing on removing barriers and promoting growth, 10 a.m., SR–253.

Full Committee, to hold hearings to examine closing the digital divide, focusing on connecting native nations and communities to the 21st century, 2:30 p.m., SR–253.

Committee on Environment and Public Works: Business meeting to consider the nomination of Daniel M. Ashe, of Maryland, to be Director of the United States Fish and Wildlife Service, Department of the Interior, Time to be announced, S–216, Capitol.

Committee on Foreign Relations: To hold hearings to examine the nominations of Mara E. Rudman, of Massachusetts, to be an Assistant Administrator of the United States Agency for International Development, and Robert Patterson, of New York, to be Ambassador to Turkmenistan, Department of State, 10:15 a.m., SD–419.

Full Committee, to hold hearings to examine the nominations of Jonathan Scott Gration, of New Jersey, to be to the Republic of Kenya, and Michelle D. Gavin, of the District of Columbia, to be Ambassador to the Republic of Botswana, both of the Department of State, 2:30 p.m., SD–419.

Select Committee on Intelligence: To hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, hearing on Department of Agriculture—FY 2012 Budget Request, 10 a.m., 2362–A Rayburn.

Subcommittee on Commerce, Justice, Science, and Related Agencies, hearing on Legal Services Corporation—FY 2012 Budget Request, 10 a.m., H–309 Capitol.

Subcommittee on Financial Services and General Government, hearing on General Services Administration, FY 2012 Budget 10 a.m., B–308 Rayburn.

Subcommittee on Commerce, Justice, Science, and Related Agencies, hearing on Office of the United States Trade Representative—FY 2012 Budget Request, 2 p.m., H–309 Capitol.

Subcommittee on Homeland Security, hearing on WMD Countermeasures—Threat, Programs, and Funding, 2 p.m., H–140 Capitol. This is a CLASSIFIED and CLOSED hearing.

Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, hearing on United States Court of Appeal for Veterans Claims, 2 p.m., HT-2 Capitol.

Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, hearing on Armed Forces Retirement Home, 3 p.m., HT-2 Capitol.

Committee on Armed Services, Subcommittee on Strategic Forces, hearing on fiscal year 2012 national defense authorization budget request for Department of Energy atomic energy defense activities and Department of Defense nuclear forces programs, 11:30 a.m., 2212 Rayburn.

Full Committee, hearing on fiscal year 2012 national defense authorization budget requests from the U.S. Transportation Command and U.S. Africa Command, 2 p.m., 2118 Rayburn.

Committee on Energy and Commerce, Full Committee, markup on the following: a bill to Clarify NTIA and RUS Authority to Return Reclaimed Stimulus Funds to the U.S. Treasury, pending a markup of that legislation in the Subcommittee on Communications and Technology to be held on Friday, April 1, 2011; H.R. 1217, to repeal the Prevention and Public Health Fund, as reported by the Subcommittee on Health; H.R. 1216, to amend the Public Health Service Act to convert funding for graduate medical education in qualified teaching health centers from direct appropriations to an authorization of appropriations, as reported by the Subcommittee on Health; H.R. 1215, to amend title V of the Social Security Act to convert funding for personal responsibility education programs from direct appropriations to an authorization of appropriations, as reported by the Subcommittee on Health; H.R. 1214, to repeal mandatory funding for school-based health center construction, as reported by the Subcommittee on Health; and H.R. 1213, to repeal mandatory funding provided to States in the Patient Protection and Affordable Care Act to establish American Health Benefit Exchanges, as reported by the Subcommittee on Health. 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets and Government Sponsored Enterprises, markup on the following: H.R. 31, the Fannie Mae and Freddie Mac Accountability and Transparency for Taxpayers Act; H.R. 1221, the Equity in Government Compensation Act of 2011; H.R. 1222, the GSE Subsidy Elimination Act of 2011; H.R. 1223, GSE Credit Risk Equitable Treatment Act of 2011; H.R. 1224, the Portfolio Risk Reduction Act of 2011; H.R. 1225, the GSE Debt Issuance Approval Act of 2011; H.R. 1226, the GSE Mission Improvement Act of 2011; and H.R. 1227, the GSE Risk and Activities Limitation Act of 2011; 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Full Committee, hearing on Watching the Watchers: The Need for Systemic Reforms and Independence of the State Department Inspector General, 10 a.m., 2172 Rayburn.

Subcommittee on the Middle East and South Asia, hearing on Assessing U.S. Foreign Policy Priorities and

Needs Amidst Economic Challenges in South Asia, 2 p.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Border and Maritime Security, hearing entitled "Using Resources Effectively to Secure Our Border at Ports of Entry—Stopping the Illicit Flow of Money, Guns and Drugs" 10 a.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Crime, Terrorism and Homeland Security, hearing entitled "Justice for America: Using Military Commissions to Try the 9/11 Conspirators", 10 a.m., 2141 Rayburn.

Subcommittee on Immigration Policy and Enforcement, hearing on H.R. 704, SAFE for America Act, 1:30 p.m., 2141 Rayburn.

Committee on Natural Resources, Full Committee, hearing entitled "Effect of the President's FY-2012 Budget and Legislative Proposals for the Bureau of Land Management and the U.S. Forest Service's Energy and Minerals Programs on Private Sector Job Creation, Domestic Energy and Minerals Production and Deficit Reduction." 10 a.m., 1324 Longworth.

Subcommittee on Indian and Alaska Affairs, hearing on H.R. 887, to direct the Secretary of the Interior to submit a report on Indian land fractionation, and for other purposes, 11 a.m., 1334 Longworth.

Subcommittee on Water and Power, hearing on "Creating Abundant Water and Power Supplies and Job Growth by Restoring Common Sense to Federal Regulations.", 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, Full Committee, hearing entitled "Are Postal Workforce Costs Sustainable?" 9:45 a.m., 2154 Rayburn.

Subcommittee on Health Care, DC, Census and the National Archives, hearing entitled "Waste, Abuse and Mismanagement in Government Health Care", 1:30 p.m., 2154 Rayburn.

Committee on Rules, Full Committee hearing on H.R. 910, Energy Tax Prevention Act of 2011, 3 p.m., H-313 Capitol.

Committee on Transportation and Infrastructure, Subcommittee on Highways and Transit, hearing on Policy Proposals from Members of Congress to Reform the Nation's Surface Transportation Programs, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Full Committee, hearing on Deconstructing the Department of Veterans Affairs Construction Planning, 10:30 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Human Resources, hearing on duplication in welfare and related programs under the Subcommittee's jurisdiction, 2 p.m., B-318 Rayburn.

House Permanent Select Committee on Intelligence, Full Committee, hearing on Central Intelligence Agency Program FY 2012 Budget Overview, 10 a.m., HVC-304 Capitol. This is a CLOSED hearing.

Next Meeting of the SENATE

10 a.m., Tuesday, April 5

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond 11 a.m.), Senate will begin consideration of H.R. 4, Comprehensive 1099 Taxpayer Protection and Repayment of Exchange Subsidy Overpayments Act. At approximately 12 noon, Senate will vote on or in relation to an amendment offered by Senator Menendez, to be followed by a vote on passage of the bill.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Tuesday, April 5

House Chamber

Program for Tuesday: Consideration of H. J. Res. 37—Disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

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