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No. 32

## House of Representatives

The House met at 10:30 a.m.

### MORNING-HOUR DEBATE

The SPEAKER. Pursuant to the order of the House of January 6, 2009, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

### THE ECONOMIC RECOVERY PLAN— PROGRESS FOR THE AVERAGE AMERICAN

The SPEAKER. The Chair recognizes the gentleman from Washington (Mr. McDERMOTT) for 5 minutes.

Mr. McDERMOTT. Madam Speaker, tonight, the President will address an expectant country in a joint session of Congress, and will give the American people a report on the progress that he has made and intends to make in the near future. The key word here is "progress."

In barely a month, President Obama has shown us that he can walk the talk. The stimulus package the President signed into law will take America down a road that we did not see in the last administration. It is one that governs from the center, focused on the average American—the average person who gets up in the morning, gets to work at 8 o'clock, works until 5 o'clock and goes home and takes care of his family, maybe coaches baseball, maybe is a single mother who goes home, picks her kids up at daycare and goes home and takes care of them for the evening, but it is focused on the average American.

Now, in the last 8 years, these people have either been left behind or have been thrown overboard by the last administration in its rush to open America's purse, wallet, whatever you want—bank vaults—to their friends. The economic disaster that President Obama is facing and will talk about to

the American people today and tonight was really there, waiting on the desk when he got to the Oval Office. He didn't bring it with him. He didn't have very much to do with creating it. He was only in the Senate a short time. It was presented to him by the last administration, and he has now, in just 1 month, given us a recovery plan that helps the American people. Above all, I believe the President strikes a very delicate balance and walks a very fine, thin tightrope between economic recovery and economic disaster.

How do you deal with it as it's going downhill? How do you arrest it? It's like being in the mountains. In western Washington, we have mountains. People are up, climbing mountains, and one of the first things you have to learn to do when climbing mountains where there is snow is learn how to do an arrest. You're sliding down a glacier. What do you do to stop yourself from falling? The first thing you've got to learn to do is put that ice ax in and hold. Now, the President is working on that sort of problem. We are sliding down—and have been since September—very abruptly, and he has got to bring this slide to a halt and then start the climb and get us back up on our feet and start back on the climb.

There are those who say we ought to throw the banking institutions overboard because of their unrestrained practices. Maybe we're going to have to nationalize banks. One doesn't know exactly what is going to be necessary, but the President has begun to show that he is willing to make the tough decisions that have to be done. There are some who say the average American does not benefit. I've had calls. I've had people come up to me and say, "I pay my bills. I do everything right. I didn't go out and borrow a lot of money, and it looks to me like the only people who are getting any benefit out of this are people who made wild, crazy decisions, like bankers. Why am I not getting something?"

But people do count in this administration—finally. The UI benefits will help those who have lost their jobs. There is a payroll deduction that goes into the average person's pocket, and there is going to be, finally, some oversight in governing on behalf of the American people, overall, returning America to the American people.

It took 96 months to destroy our economy. Remember where Mr. Bush came in. There was a burgeoning surplus. We argued in 2000 about whether we would pay down the national debt too fast. That's where we were. He had a plan. He didn't tell us what his plan was, but it was not only to not pay down the debt but to build it up dramatically in the period that followed. This President who has now come into office has said we're going to stop that, and we're going to change what's going on.

A New York Times editorial today reminds us that the other side of this body remains intent on working against American workers. The Governor of Mississippi and the Governor of Louisiana say, "We don't want that unemployment money for our part-time workers." There is clearly some rethinking that has got to be done on behalf of this body in terms of what is going on in this country. Part-time workers are entitled to the unemployment insurance they paid in.

The American people want a solution, and if the Republicans choose to ignore that, the American people have made it clear already that they can return to the voting booth and enforce their will.

[From the New York Times, Feb. 24, 2009]  
WHAT PART OF 'STIMULUS' DON'T THEY GET?

Imagine yourself jobless and struggling to feed your family while the governor of your state threatens to reject tens of millions of dollars in federal aid earmarked for the unemployed. That is precisely what is happening in poverty-ridden states like Louisiana and Mississippi where Republican governors are threatening to turn away federal

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

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aid rather than expand access to unemployment insurance programs in ways that many other states did a long time ago.

What makes these bad decisions worse is that they are little more than political posturing by rising Republican stars, like Gov. Bobby Jindal of Louisiana and Gov. Mark Sanford of South Carolina. This behavior reinforces the disturbing conclusion that the Republican Party seems more interested in ideological warfare than in working on policies that get the country back on track.

Fortunately, as President Obama prepares for his first address to Congress on Tuesday evening, voters of both parties have noticed. About three-quarters of those polled in a recent New York Times/CBS News survey—including more than 60 percent of Republicans—said Mr. Obama has been trying to work with Republicans. And 63 percent said Republicans in Congress opposed the stimulus package primarily for political reasons, not because they thought it would be bad for the economy. It should be sobering news for Republicans that about 8 in 10 said the party should be working in a bipartisan way.

The Republican Party's attacks on the unemployment insurance portion of the stimulus package are a perfect example. States that accept the stimulus money aimed at the unemployed are required to abide by new federal rules that extend unemployment protections to low-income workers and others who were often shorted or shut out of compensation. This law did not just materialize out of nowhere. It codified positive changes that have already taken place in at least half the states.

To qualify for the first one-third of federal aid, the states need to fix arcane eligibility requirements that exclude far too many low-income workers. To qualify for the rest of the aid, states have to choose from a menu of options that include extending benefits to part-time workers or those who leave their jobs for urgent family reasons, like domestic violence or gravely ill children.

Data from the National Employment Law Project, a nonprofit group, show that 19 states qualify for some of the federal financing and that a dozen others would become eligible by making one or two policy changes. Unemployed workers are worst off in the Deep South, where relatively few people are eligible to receive payments. Louisiana, Mississippi and Texas stand out.

The governors are blowing smoke when they suggest that the federal unemployment aid would lead directly to new state taxes. No one knows what the economic climate will be when the federal aid has been used up several years from now. But by dumping billions of dollars into shrinking state unemployment funds, which puts money into the hands of people who spend it immediately on food and shelter, the stimulus could help the states through the recession and into a time when unemployment trust funds can be replenished. In other words, the stimulus could make a tax increase less likely.

But even if new taxes are required at some point, the new federal standards would protect more unemployed workers than ever before and bring states like Louisiana, Mississippi and Texas into the 21st century.

Governors like Mr. Jindal should be worrying about how to end this recession while helping constituents feed and house their families—not about finding ways to revive tired election-year arguments about big spending versus small government.

#### COMMISSION WITH TEETH: FORCING CONGRESS TO ADDRESS ENTITLEMENT ISSUE

The SPEAKER pro tempore (Ms. JACKSON-LEE of Texas). The Chair rec-

ognizes the gentleman from Virginia (Mr. WOLF) for 5 minutes.

Mr. WOLF. Sometimes it takes a crisis to move Congress to action, and we are in a financial crisis today and have reached the point where Americans everywhere understand that our country is in serious trouble. We are sinking, and it is on this Congress' watch, and it is this Congress' obligation to fix it. Main Street USA is suffering. Businesses are closing. Wages and hours are being cut back. Restaurants that once bustled with customers are half empty, and the only waiting line starts at the unemployment office.

How did we get to these frightening times?

Look at the numbers. For years we've been spending and spending beyond our means, mortgaging the future for our children and grandchildren—over \$56 trillion in unfunded obligations through Social Security, Medicare and Medicaid. The national debt is \$11 trillion. Standard & Poor's investment service predicts the loss of our triple-A bond rating as early as 2012. Imagine the headlines when that day comes.

China now holds the paper of 1 of every 10 American dollars, and we saw for the first time the Secretary of State punting when she was in Beijing, never raising the issue of human rights and religious freedom. Imagine how the Catholic bishops and Buddhist monks who are in prison felt when they heard that the Secretary, because of pandering to the Chinese in wanting them to buy our paper, never raised this issue. Yet this Congress has done nothing but spend, spend, spend and talk, talk, talk.

Congress is made up of parents and grandparents. Yet it seems that this Congress is prepared to push all of this onto our children and our grandchildren. Why won't Congress act? Why has Congress failed to act? What is Congress afraid of?

Over the weekend, President Obama said, ". . . we can't generate sustained growth without getting our deficits under control." I could not agree more, and time will tell if this administration and this Congress will embrace the process that leads to a solution.

The process that will lead to a solution is the bipartisan commission that Congressman JIM COOPER and I have proposed with every spending program on the table with tax policy. Congress would vote up or down on the commission's recommendations.

If any Member from either side, from my side who is not on this bill or from the Democratic side who is not on this bill, has a better idea that will work—a better idea rather than just a rotary speech, a better idea that works—put it forward. Don't hide behind the process.

There always seems to be an excuse. The American people are experiencing a crisis of confidence and expect this Congress to act. When we gain control of the reckless spending, we will be able to rebuild our economy. We will

have a renaissance in America, and we will see a brighter and a stronger America—stronger for us, stronger for our children and stronger for our grandchildren. As Ronald Reagan said, we will literally have a renaissance when we get control of this spending.

But I ask you, and every Member who serves here has to ask themselves: How will history judge the 111th Congress if it does not deal with this issue?

Your children and your grandchildren will come up and say, you know, "Grandpop or Grandmom or Dad or Mom, weren't you there during the 111th Congress when we had \$11 trillion of debt? When the Chinese had such influence on this country that this Secretary no longer spoke out on human rights and religious freedom when there were 30-some Catholic bishops in jail? When we saw all of this going on with unemployment? What did you do when you were there? Were you there?"

Yes, I think you were. What would you do?

This Congress will be a total failure, and it will be our children and our grandchildren who will pay the price, and history will judge it very, very poorly.

#### CAPTIVE PRIMATE SAFETY ACT (H.R. 80)

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

Mr. BLUMENAUER. Yesterday, the House engaged in a vigorous debate on the captive primate bill, H.R. 80, which would prohibit the interstate transport of chimpanzees and other monkeys across State borders. It was fascinating listening to the give-and-take on the floor of the House. The argument against the bill seemed to center on two points:

One was that this bill was not the most important thing that we could possibly be considering at the time. The second was that it would not stop the ability of some people to have a chimpanzee as a pet in their own homes.

I found it interesting because the notion that somehow this measure is not the most important issue is true. Congress deals with thousands of issues in a wide range of areas—from passing budgets, to dealing with the national debt, to recovering our economy, to naming post offices, to dealing with protections for the environment.

□ 1045

There are a wide range. One of the things why we have 435 of us here and 100 Senators is because we can do more than one thing at once.

But I will tell you, the woman who is in the hospital in Cleveland, who had her face ripped off by a chimpanzee last week, would probably think, along with her family and friends, that it might be important to deal with the safety of Americans, over 100 of whom

have been attacked by primates in the last 10 years . . . 100 that we know of. The most important issue of the world? Maybe not, until tragedy strikes your family or your community.

The second notion, that somehow it would not magically stop overnight the ability to have a wild animal, that is not domesticated, that has no business being treated as a pet in somebody's home, is an excuse not to act. That betrays lack of knowledge of what we have done dealing with animal welfare for the last 50 years.

To be able to deal with frameworks moving forward, establishing protections is important. In 2003 we dealt with the problem of having large cats, tigers, lions, panthers that people kept as pets. We're also going to have to do something in the long run with other inappropriate pets like crocodiles and pythons.

These are not trivial items. This is not appropriate treatment for some of God's creatures, and they put families at risk. We in Congress should establish these frameworks to avoid future problems.

The most important point is that, if the provisions of our bill had been established policy, that poor woman wouldn't be in a hospital in Cleveland because the monkey that attacked her would not have been shipped from Missouri (along with others that were disbursed around the country) to Connecticut to her neighbor.

I would suggest that it's important for people to take a step back and look at critical areas of animal welfare and the relationship that we have with them. It is important to pass this legislation, as the House did overwhelmingly last session, only to have it die in the Senate. It's important to pass it again, but it's also important for people to be able to deal with establishing an appropriate framework for relationships with animals so that it doesn't have to become the most important thing in the world for one family or one community. Instead, we have a logical, rational set of policies that are good for the welfare of animals, that protect our families and have the Federal Government playing its appropriate role.

Already 20 States around the country have done their job with an outright prohibition. It's time for the Federal Government to amend the Lacey Act to extend the protections dealing with captive primates, to help in a small but critical way make all our communities more livable and our families safer, healthier and more economically secure.

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#### OUR STANDARD SHOULD BE WHAT UPHOLDS THE DIGNITY OF THE HOUSE

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

Mr. FLAKE. Madam Speaker, yesterday I introduced a privileged resolution

here in the House which asked the Ethics Committee to look into the relationship between campaign contributions and earmarks. This has been a problem, as we know, for a long time but it was brought to a head just recently when a lobby firm, a powerhouse lobby firm that had \$14 million in revenue just last year, it was revealed that they were being investigated by the FBI.

This firm was quite prominent. It passed a lot of campaign contributions to Members here on Capitol Hill. In return, clients of this lobbying firm received in one defense appropriation bill \$300 million. So it was quite lucrative for this firm obviously to do what it was doing.

Anyway, it was revealed that the FBI was investigating this firm, and within days, the firm completely imploded. It has dissolved. One week or so after it was revealed, it's gone, but the damage has been wrought to the dignity and decorum of this House. We sit here today all under suspicion because a firm spread so many campaign contributions around, and many earmarks were received. And no matter what the intent was or the motive here, the appearance of this does not reflect well on the dignity and decorum of the House.

We have to remember that most of the earmarks sought by this firm, this firm that is now under investigation, are for for-profit entities, private businesses. These earmarks are essentially no-bid contracts. A Member of Congress will simply say, I want an earmark for this firm. Maybe it might be in his district, it might not, but it's a private, for-profit-making company, getting a Federal contract without scrutiny otherwise, with nothing and no other bids. Nobody else can bid on it.

Here, let me just step back for a second. One thing that is unbelievable here is we will be considering an omnibus appropriation bill, a \$410 billion bill, tomorrow. We received a list of the earmarks that will be in that bill yesterday. So I think within 36 hours or so of receiving the list of 9,000 earmarks, we will be considering the bill.

Now, we have had rules in this House, and good rules, passed which stipulate that we have transparency, that we are supposed to be given notice of these earmarks well in advance. I would submit that 36 hours for 9,000 is hardly transparency, but even if it were, transparency has to be followed by accountability. Accountability means that somebody should be able to stand up and challenge any of these earmarks, to challenge whether or not a for-profit entity, a company in somebody's district, ought to be getting a sole-source contract by a Member, with no scrutiny by other Members of this body. I cannot come to the floor tomorrow, nor can any other Member, and challenge any of these earmarks, to look at the relationship between earmarks, campaign contributions, or to

simply say is this a good use of Federal spending.

Then we found that—add insult to injury, 9,000 earmarks with minimal notice—we found that the PMA Group, who lobbied for many earmarks in last year's defense bill the year before that, clients of the PMA Group received as many as up to a dozen earmarks in this omnibus appropriation bill that we'll be considering tomorrow. Let me say that again. A firm under investigation by Federal authorities, for what might be misused or mishandled campaign contributions to Members of Congress, clients of that firm are receiving earmarks in the appropriation bill that we'll be passing tomorrow, and not one Member here has the ability to go in and challenge a single one of those earmarks. It's take-it-or-leave-it on the whole bill, one vote at the end, take-it-or-leave-it, no ability to challenge. That simply isn't right, Madam Speaker. That's not right.

That's why we need the Ethics Committee to take a look at this. We know from press reports that somebody's taking a look at it. Politico reported on February 12 that, "Several sources said FBI agents have spent months laying the groundwork for their current investigation, including conducting research on earmarks and campaign contributions."

Now, we may not want to look at it, but the Justice Department is. We have the obligation here to uphold the dignity and decorum of the House. Our standard should not be investigations, convictions, and imprisonment. It ought to be what upholds the dignity of the House. Let's pass this resolution.

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#### THE ESSENCE OF THE GREATNESS OF AMERICA LIES IN ITS PEOPLE, NOT IN ITS GOVERNMENT

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

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, it's interesting sitting on the floor listening to the speeches during this period of time.

On the one hand, I listened to the gentleman from Virginia talk about a bipartisan approach to deal with our problem of fiscally irresponsibility and the load of debt that we are placing on our children and grandchildren. On the other hand, I did hear a gentleman from the other side of the aisle talk about why it's Bush's fault.

When I was in school, they were teaching us debate. We talked about the ad hominem argument, the personalization of the argument. Usually that meant that when you didn't have the facts you tried to make it personal.

There was also discussion by a gentleman from the other side of the aisle about the fact that we're finally going to be concerned about the people of America, as if those who disagree with you would be people who are not interested in Americans. I'm not sure that

gets us anywhere. As a matter of fact, I think that gets us nowhere. It is that kind of quasi-debate which leads down the wrong path.

We are without a doubt facing a very difficult economic situation, and as did others, I returned to my district to talk to constituents about that. I had a tele-town hall where we had over 6,000 people on the line, and I listened to their comments. I also sent out a questionnaire by e-mail, and thus far we've received over 1,800 responses. I thought it might be informative to tell this body the feelings of the people in my district, at least as reflected in this survey; although I realize it is not a scientific survey.

In response to the question, what is the most immediate economic concern you face, overwhelmingly, 53 percent of the respondents said they were most concerned about declining value of retirement accounts. We ought to be very concerned about that, because if we send a message to the world that we are fiscally irresponsible, that more and more spending and more and more debt is the way to get out of the situation that we got into because of spending and debt, those retirement accounts are going to lose more value. We ought to be concerned about the future, as well as the immediate present.

Secondly, in response to the question, what is the most important element of an economic stimulus package, the number one response was tax cuts. Why? Because many of the American people do believe the argument that raising taxes in the midst of a recession doesn't make sense and that tax cuts, properly articulated, properly enforced, create a stimulus to the private sector, particularly the small- and medium-sized businesses where the jobs are really created, not the government sector. Secondly, the biggest response was, nothing, the economy is strongest when government does not interfere. And the third response was funding for infrastructure projects. And unfortunately, the percentage of money that goes to infrastructure projects is relatively small, as is the percentage that goes towards tax cuts.

The next question: Are you satisfied with the economic stimulus package Congress passed? Thirty-four percent of the people in my district said, no, the details of the size and scope needed to be worked out. Perhaps they thought having less than 24 hours to look at a 1,076 page bill was inappropriate. The second largest response, 33 percent, was, no, Congress shouldn't have passed any stimulus package. Those are concerned that a stimulus package does not stimulate. And third, by a much, much smaller margin, yes, anything the government can do is better than nothing.

The next question: I expect the worse of the economic crisis to be over within—and this is truly difficult to read because it said that 42 percent of the respondents thought it would take 24 months or more. Second largest re-

sponse was 13 to 18 months by 21 percent. And then 17 percent believe it would be 19 to 24 months. In other words, the American people, at least reflected in my district by this survey, understand the seriousness and the depth of this economic difficulty.

And lastly, I asked them: The economic crisis' impact on me is such that—and the response, number one, was, I am okay right now, but I'm worried about what will happen to me if the economy continues to get worse, 59 percent. Thirty-three percent of the people said, I will face tough decisions but I will survive. And less than 9 percent said, I do not know how I will make it through the time.

Interesting thing about that response is the resiliency of the American people. They do believe, they do have faith that we will get out of this, but they believe that we will get out of it through the ingenuity, the creativity, the stick-to-it-iveness of the work ethic of the American people, not government.

While certain government programs might be able to assist, we should not forget that the essence of the greatness of America lies in its people, not in its government. This government reflects its people. This government is one that was set up to protect the rights of the people but also to be protected against an overweening government. If we are to work ourselves out of this economy, we must rely on the people for their creativity and do nothing that impinges upon that.

□ 1100

#### CONGRATULATING DANCE MARATHON AT PENN STATE UNIVERSITY IN ITS MONEY RAISING EFFORT TO COMBAT CHILDREN'S CANCER

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to bring attention to a great cause and to congratulate the over 15,000 young men and women at Penn State University who participated in the largest student-run philanthropy in the world—THON.

THON, which is short for Dance Marathon, is a student-run venture led by the Penn State University Interfraternity and the Panhellenic Council whose mission is to conquer pediatric cancer by providing outstanding emotional and financial support for the children, families, researchers and staff at the Penn State Children's Hospital.

Madam Speaker, this is no ordinary student organization. Dating back to 1972 when the first THON was held, a small group of dancers raised approximately \$2,000. This past weekend, over 15,000 student volunteers raised \$7.49 million to fight pediatric cancer. Since its inception in 1972, THON has raised

more than \$52 million for this worthy cause. And while this is a yearlong, never-ending fight against pediatric cancer, it culminates each year with a 46-hour dance marathon. With 708 dancers this year representing over 350 student organizations and 180 individual groups, THON has shattered previous year's record.

Madam Speaker, it is this type of leadership and dedication that gives me renewed hope that our Nation's best days are still ahead of us. As a proud Penn State alumnus, I join with colleagues such as Congressman WOLF, a Penn State alumni, in saying it is not only an honor to be associated with a first class institution, it is a privilege to share that association with the 15,000 students that participated in THON.

We Penn Staters have a saying: "We are Penn State." But, Madam Speaker, as you can see, it goes without question that these students are truly the "we" in Penn State.

#### RECESS

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

Accordingly (at 11 o'clock and 3 minutes a.m.), the House stood in recess until noon.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BLUMENAUER) at noon.

#### PRAYER

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

Lord of history and Father of all humanity, as we mark Black History Month this year, anxiety gives us much to pray about. Yet we have much to celebrate as well.

The Honorable JOHN LEWIS tells a story which may serve as a parable for African American history in the United States. On a Sunday afternoon, he was one of 15 children who took refuge in Aunt Sevena's house because a storm was brewing. As the storm let loose, the house began to sway. The wood beneath their feet began to bend. A corner of the room started lifting up.

That was when Aunt Sevena told the children to line up and hold hands. Then she had them walk as a group back and forth from kitchen to the front of the house toward every corner of the room that was rising. Fifteen children were walking with the wind, holding that trembling house down from flying to the sky with the weight of their own bodies. They had learned that You, Lord, were right in the midst of the storm and Your voice could be heard in the thunder.

Throughout history, Lord, Your presence can be found. Be with this House

tonight as history is made. Be with us now and forever. Amen.

#### THE JOURNAL

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

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

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

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

Mr. WILSON of South Carolina. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

#### PLEDGE OF ALLEGIANCE

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

Mr. WILSON of Ohio 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.

#### MOVING FROM BANK CARE TO HEALTH CARE

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

Mr. KUCINICH. Fifty million Americans without any health insurance, another 50 million underinsured. There has never been a more significant moment where this country has the opportunity to turn crisis into opportunity by making it possible for all Americans for the first time to have a plan of national health care, a universal, single-payer, not-for-profit health care system, where all \$2.2 trillion that is spent for health care will be spent for health care for people and not for profit for insurance companies. Insurance companies make money not providing health care.

With so many Americans without health care today, it is urgent that we recognize the value of H.R. 676 to provide Americans with the coverage they need, plus we stop this system which is excluding people from being able to get the care they need because of the cost of premiums and copays.

This is a moment that we need to seize. H.R. 676, universal, single-payer,

not-for-profit health care. Let's move from bank care to health care.

#### NATIONAL GUARD YOUTH CHALLENGE PROGRAM

(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, I rise today to recognize the National Guard Youth Challenge Program. When we invest in the mentoring and education of our children, we provide them a strong foundation for their future success. The National Guard Youth Challenge Program has a proven track record of teaching the leadership, citizenship and life skills that can make a difference in so many lives.

I am particularly proud to have members and supporters of the program here on Capitol Hill today, including General John Conaway, chairman of the National Guard Youth Foundation, and also Colonel Jackie Fogle, Director of the South Carolina Youth Challenge Academy, as they celebrate and bring recognition to the extraordinary work that they are doing on behalf of our Nation's youth.

I am grateful to have introduced legislation that would help expand the resources for these programs to ensure they continue to have a positive impact on the young men and women in our communities. I am particularly grateful to see the plans for success in Guam with Governor Felix Camacho and First Lady Joann Camacho.

In conclusion, God bless our troops, and we will never forget September the 11th.

#### MEMORIAL TRIBUTE TO ALVIN KING

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

Mr. COHEN. Mr. Speaker, yesterday in Memphis, Tennessee, my hometown and the site of Tennessee 9, a great leader in our community passed away, a gentleman by the name of Alvin King.

Alvin King was 73 years old, and during his time in Memphis, he was a political leader. He was an African American gentleman. This is Black History Month. He was the third Memphian elected to the House of Representatives in Tennessee since reconstruction in 1868, and he served in the House of Representatives for 24 years, the third longest serving African American in the Tennessee House of Representatives.

I served with Representative King for 10 of those years when I was a senator and he was a very capable, well-liked and effective legislator.

He did something that is I guess embodied in our President, Barack Obama, showing that people can get beyond race. Alvin King was born in the civil rights era when it was important

in his district that he was African American and that his district elect an African American.

As time went on, he saw the need for people to reach across and get votes from people, regardless of race. And he said in 1991 in a mayoral race when he supported a candidate other than the candidate I supported that black people will vote for white people and white people will vote for black people as long as race isn't the issue, and he supported a white candidate who was the incumbent mayor because he had worked with him as a State legislator, and that was the cause of his defeat in 1992. But he was early in the call for biracial voting.

When I ran for office the first time for this seat that I was successful in 2006, it wasn't particularly popular for African Americans to come out and support me openly. Many did or I wouldn't be here. But he was one of the first, and there wasn't an issue in his mind about race. It was about who could go the best job.

Alvin King was a leader. He leaves three sons and a daughter, a daughter, Esperanza, who he loved as well as his three sons, but who serves as an intern in my office and was the apple of his eye; his sons Alvin, Samuel and Ashley, and his wife, Rosalva, who he dearly loved and will miss him dearly, as will I and the City of Memphis.

#### REPUBLICANS SAY "GET SERIOUS ABOUT FISCAL RESPONSIBILITY: FREEZE SPENDING NOW"

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

Mr. PENCE. Mr. Speaker, during these challenging economic times, American families and small businesses are making sacrifices to make ends meet, and Congress should do the same.

With all the talk about fiscal responsibility in Washington, D.C., it is time for our Democratic colleagues to put our money where their mouth is, and Republicans are willing to come together across the aisle and make the hard choices necessary to put our fiscal house in order.

Judging from what is scheduled to come to the floor tomorrow, Mr. Speaker, it looks like the majority just doesn't get it. Just slightly over one week after passing a \$1 trillion so-called stimulus bill, Democrats in Congress are planning to pass another big spending bill, \$410 billion, 9,000 earmarks as usual, the largest increase in discretionary spending since the Carter administration.

House Republicans and millions of Americans are saying enough is enough. Let's do what every American family, what the every small business is doing. Let's freeze Federal spending immediately and come together to get this Congress' house in order.

**PRESIDENT OBAMA WILL BRING ACCOUNTABILITY TO THE BUDGET PROCESS**

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

Mr. WILSON of Ohio. Mr. Speaker, tonight the American people will hear the truth about the fiscal situation that President Obama inherited.

There won't be any sugarcoating in the form of accounting gimmicks that hide the wars in Iraq and Afghanistan, natural disasters and some Medicare payments. President Obama believes that government should be honest, and he is doing the right thing by eliminating accounting gimmicks. Such tricks gave the false impression that the government was actually addressing our Nation's fiscal mess when it really wasn't.

Mr. Speaker, tonight President Obama will level with the American people about the \$1.3 trillion deficit that he inherited from President Bush. In the days ahead, we will work with President Obama to make the hard choices necessary to put us back on a fiscally responsible path.

**CONGRESS MUST QUIT SPENDING**

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

Mr. LATTA. Mr. Speaker, last week it was my privilege during our work period back in the district to be at seven of my county courthouses. What I did was I met one-on-one all morning and all afternoon and we got locked into the courthouses in the evenings to talk to these people that we represent. And they are concerned. They are concerned about the spending that has been going on in this Congress.

I had one gentleman wait 4 hours, 4 hours, to come up and just sit across from the desk from me for 30 seconds and say we are spending too much money in this country. They are worried about what is happening to their future, to their kids' future and their grandkids' future.

You know, it is tough when you pick up the paper and try to explain it to them. They say, where is this money coming from that is being borrowed? Over the weekend we saw the Secretary of State was over in China with cup in hand saying we need you to keep buying our debt.

The folks back home are concerned about their future and they want this Congress to do something, and that means we have got to quit spending.

**FIXING THE BUDGET**

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

Mr. DEFAZIO. Well, we just heard from the Republican side of the aisle that they are ready to make the tough

fiscal choices. Unfortunately, they are about 8 years and \$5 trillion short with their newfound fiscal conservatism.

Remember, George Bush inherited a surplus. What was the answer to the surplus? Tax cuts. Then we had the attacks of 9/11. What was the answer to that? Tax cuts. Then we had the misbegotten war in Iraq. What was the answer to that? Tax cuts. A war fought on borrowed money and tax cuts. And then we had the bank collapse and the recession growing into a depression. And what was the answer of George Bush? Tax cuts. And what is the answer of the Republicans today? Tax cuts.

For them to say they are for fiscal responsibility and honest budgeting after those 8 years is laughable. The Obama administration is going to give it straight to the American people tonight. They have made a hash out of it, and we are going to try to fix it, but it is going to take some time.

**STIMULATE THE ECONOMY—DRILL OFFSHORE**

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

Mr. POE of Texas. Mr. Speaker, some day in the future we may live in a land flowing with renewable green energy, windmills on every corner, cute little battery-operated cars in every garage. But the path to blissful nirvana is long and we have just begun that journey.

Right now, our primary fuel source for vehicles is crude oil, whether we like it or not. We get most of it from the Middle East. We transfer billions of dollars of taxpayer money to countries that don't like us or respect us, countries that have ties to radical terrorists that want to kill us.

The American people support clean offshore drilling. It is good for the country. We will keep our money in America instead of sending it overseas. Offshore drilling creates high-paying jobs for Americans. We reduce the risk of oil spills from tankers from the Middle East. Oil companies will send millions of dollars to our Treasury for the right to lease offshore, and it can be done cleanly and safely.

But the new administration has blocked offshore drilling. With all the rhetoric about stimulating the economy, one would think that a real stimulus would be to drill off our shores and bring jobs and money to Americans instead of going into debt with the elusive stimulus package.

And that's just the way it is.

□ 1215

**RECOGNIZING THE SERVICE OF MIKE SHEEHY**

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

Mr. HOLT. Mr. Speaker, I rise today to recognize Mike Sheehy, the National

Security Adviser for the Speaker. Mike Sheehy has given three decades of service to his country, much of it here in the House of Representatives.

When the Speaker first appointed me to the House Permanent Select Committee on Intelligence 6 years ago, Mike was one of the first people I turned to. His deep experience on intelligence matters, as well as his knowledge of the House and its Members, have served the Speaker and all of us well over the years.

Especially after the Speaker asked me to chair the Select Intelligence Oversight Panel, I have frequently sought his advice on a wide range of issues, and I've found him to be always thoughtful and well-informed, and I might add, always calm. He is a consummate professional.

As he leaves his position here on Capitol Hill, I and others want to recognize him, thank him and wish him well.

**\$410 BILLION "OMINOUS" APPROPRIATIONS BILL**

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

Mr. KIRK. Mr. Speaker, the House will vote on the \$410 billion "ominous" appropriations bill this week. The bill's text was finished weeks ago but kept secret from the American people, and now we know why. The legislation contains 9,000 earmarks to be approved, ironically, the same week as we had a fiscal responsibility summit.

Last night, my staff and I stayed up to read this bill, longer than the stimulus. We found no less than 12 earmarks for clients of a lobbying firm that was raided by the FBI 3 months ago. The leaders of Paul Magliochetti and Associates will likely go to jail, but their earmarks from this criminal enterprise are in this legislation, totaling over \$8 million of the taxpayers' money, all approved by the leaders of this House. This is irresponsible spending by a criminal enterprise to the detriment of this Congress.

**PRESIDENT OBAMA WILL PRESENT AN HONEST BUDGET THAT CUTS THE DEFICIT IN HALF IN FIVE YEARS**

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

Ms. SUTTON. Mr. Speaker, President Obama inherited a fiscal mess created by 8 years of Republican economic and fiscal policies. Tonight, our new President will begin the slow process of restoring fiscal discipline to Washington. He will do that first by leveling with the American people about the true costs of the budget he'll release on Thursday.

Second, he will re-institute the pay-as-you-go guidelines similar to those that have been in place here in the Democratic House now for the last 2

years. The principle of pay-as-you-go played an instrumental role in creating the budget surpluses of the 1990s. Unfortunately, those commonsense principles were rejected by the Bush administration, and helped lead to the record deficit that our country must now address.

And, third, President Obama is expected to propose mandatory, across-the-board spending cuts to offset any new initiative that expands the government's red ink.

Mr. Speaker, these reforms will help us cut the budget deficit in half over the next 5 years, which is not bad, considering what we inherited from our Republican friends.

#### ALICE IN WONDERLAND WORLD OF CONGRESSIONAL BUDGETING

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

Mr. PAULSEN. Mr. Speaker, welcome to the Alice in Wonderland world of congressional budgeting, a place where Congress calls for fiscal responsibility, but then spends well beyond our means, even as the budget deficit grows to over \$1.4 trillion.

We're all too familiar with the litany of the spending that's already occurred this session; \$350 billion for the TARP bailout, \$787 billion for the pork-filled stimulus bill, and this week, right after the so-called fiscal responsibility summit, Congressional leaders will bring up a giant omnibus spending bill that will spend another \$410 billion, an 8 percent increase over funding from last year, and has over 9,000 earmarks. My constituents aren't seeing an 8 percent increase in their paychecks.

The nonpartisan Brookings Institution also cited recently, and I quote, "these are just not deficits as far as the eye can see, but they're trillion-dollar deficits as far as the eye can see."

Mr. Speaker we're making sacrifices every day. Congress should continue to do the same.

#### CHRYSLER PLANT'S FUTURE IN FENTON, MISSOURI

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

Mr. CARNAHAN. Mr. Speaker, Chrysler Corporation has a proud history of producing cars, trucks and vans in the Fenton, Missouri, plant. The workers there helped Chrysler survive its darkest hours in the 1980s, and helped it thrive during the 1990s and 2000s.

The U.S. Government has stepped in to help our American automakers survive and to protect American jobs. I was truly disappointed to read in the St. Louis Post Dispatch that the Fenton, Missouri, plant may be at risk under Chrysler's viability plan. By almost every measure, the Fenton, Mis-

souri, plant has the key ingredients to be part of the survival and success of Chrysler.

The workforce at the plant is among the most productive in the industry, and the plant itself has had a half billion dollars invested in it for flexible manufacturing to give it the ability to build the cars of the future today. The manufacturing technology reduces the carbon footprint, and provides long-term savings and energy use. This state-of-the-art plant and its record-setting workers are the example of what can help the industry and Chrysler survive and thrive in the future.

#### MAKING QUALITY CARE ACCESSIBLE TO PATIENTS

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

Mr. BOUSTANY. Mr. Speaker, tonight President Obama is expected to unveil some of his health care reform, and I hope to work with the President to lower costs for American families and make health care more accessible without dramatically raising taxes.

Some of my Democratic colleagues advocate for government-run universal health coverage, but coverage alone does not guarantee access. Too many rural communities currently lack doctors, and Medicare payment cuts and frivolous lawsuits have driven providers out of business in underserved communities.

Health care reform should be based on three basic principles, information, choice and control. Information that provides real information to patients and doctors, choice that allows freedom of choice to choose a doctor and develop a doctor/patient relationship, and control, which creates real portability for families.

Working together, I believe we can achieve real results and make health care much more affordable and accessible. We all agree that our system will make America more competitive and give families peace of mind. And that's why we need to work together to put the doctor and patient back in control.

#### BUSH BUDGET LEGACY—DEEP DEFICITS AND ECONOMIC DECLINE

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

Mr. PAYNE. Mr. Speaker, over the last 8 years, the Bush administration turned our budget situation from rosy to grim. President Bush and the Republican Congress pushed their economic policies as an answer to the prolonged growth that never came. They let budget rules lapse and enacted expensive tax cuts for the wealthiest few, with no offsets.

Now it turns out, instead of spurring long-term growth, these trickle-down policies have cost our Nation dearly.

Our economy nationwide and in my home State of New Jersey is in worse shape than ever.

As a result of the economic deterioration that occurred under President Bush's policy, the projected deficit for fiscal year 2009 has reached an unprecedented \$1.2 trillion. This deficit did not arise overnight, and out of the blue. President Bush inherited a healthy \$5.6 trillion surplus.

And so, Mr. Speaker, we need to bring our country back to fiscal responsibility.

#### ACT FISCALLY RESPONSIBLY AND IN A BIPARTISAN MANNER

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

Mr. FLEMING. Mr. Speaker, 2 weeks ago this body spent over \$1 trillion of taxpayer dollars on programs that will grow the size of government, but won't stimulate the economy to help us get out of this financial crisis.

Consumer confidence remains low, and fear of the future remains, as evidenced by the lowest Dow since 1997.

Last week I held two town hall meetings in my district in Northwest Louisiana. In both meetings, the feelings were the same. People are scared and they are angry. They are looking for solutions. Instead we give them wasteful spending and social programs funded with one-time money. Now we hear of a plan to finance this with taxes on the back of small businesses and on the taxpayers themselves.

To help this economy, we must allow business to expedite depreciation schedules, eliminate capital gains taxes and reduce payroll deductions and dedicate dollars to infrastructure projects, including I-49 in Louisiana.

As we move to consider the half trillion dollar omnibus, I urge my colleagues to act fiscally responsible and in a bipartisan manner.

#### COMPREHENSIVE IMMIGRATION REFORM

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

Mr. BACA. I rise today to urge my colleagues, our leadership, Speaker PELOSI, President Obama, to work with CHC on comprehensive immigration reform.

Two weeks ago this legislative body passed a significant bill that will help our devastated economy. We cannot forget the other gaping wound here, our broken immigration system. We are making a big mistake if we continue to ignore the 12 to 14 million undocumented immigrants who are part of this economy. This is not something that we should sweep under the rug with more unrealistic enforcement-only fixes to the immigration system. Enforcement-only approaches makes the situation worse by generating an underground economy and encouraging

a demand for vulnerable, undocumented workers.

I urge my colleagues not to let politics cloud a real solution. The only answer is comprehensive immigration reform.

#### ANTICIPATING THE JOINT SESSION OF CONGRESS

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

Mr. ENGEL. Mr. Speaker, tonight, when President Obama speaks to a joint session of Congress, I will be on the aisle to greet him, as I have for the past 20 years. It's always my honor and privilege to shake the hand of the President of the United States. And it's really electrifying. But I think tonight, Mr. Speaker, the anticipation is even more electrifying than usual. Our new President, who has done such a wonderful job in bringing us hope, is going to come tonight to speak with the Congress and tell us his plans. I hope and I know that under his administration, we will fix health care and have it universal for everyone.

We know, and under his administration, we will look at our energy policy and wean ourselves off of foreign oil so that America can truly be energy independent.

We need to get our fiscal House in order, and the President's going to address that as well.

So as we anticipate his speech, Mr. Speaker, I want to say to the President of the United States, that I am willing and want to work with him hand-in-hand, hope we can do it on a bipartisan basis, and I look forward to his words tonight.

#### NO PATIENT LEFT BEHIND

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

Mr. KAGEN. Mr. Speaker, we're going to be listening this evening to President Obama, and one of his featured subjects will be health care. What we don't need in the United States is socialized medicine. We don't need more government control of our personal lives.

What we do need is access to affordable health care for everyone. And to guarantee access to affordable care for every citizen, we need to enact the essential elements of health care, which are, first, that there shall be no discrimination against any citizen due to any pre-existing condition.

Second, there should be open disclosure of all prices, so we know the price of a pill before we swallow it.

And, third, we need to secure the same discounts for all citizens so we all pay the same price for the same service or product.

We can also create the largest risk pools possible to leverage down prices

for all of us. Imagine this: We are only one law away from guaranteeing access to affordable care for everyone everywhere in these United States.

#### REPUBLICAN ALTERNATIVE RECOVERY PLAN

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

Ms. CORRINE BROWN of Florida. Mr. Speaker, earlier this month, House Republicans refused, to a person, to support the economic course that President Obama's recovery plan offered.

The Republican proposal is made up almost entirely of tax cuts for the wealthy and strips virtually all of the job-creation investments that was necessary to transform our economy for the future. Their alternative plan had no funds for American infrastructure needs, no investment in energy efficiency, and no protection for health care, no money for police officers and teachers and no food assistance for struggling families, and offered no chance for America to come out of this recession stronger and more able to compete economically.

Mr. Speaker, when are House Republicans going to realize that you can fool some of the people some of the time, but you can't fool all of the people all of the time?

□ 1230

#### PROSPERITY AHEAD FOR ALL AMERICAN PEOPLE

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, what an exciting and wonderfully forward day that we have today when we will be addressed by the Commander in Chief regarding the state of the Nation. All I can think about is we have planted the seeds of the economic stimulus package, a plan that should help no matter who you are and where you are in the nooks and crannies of this Nation, how this Commander in Chief will tell us of the prosperity ahead, of the brighter days ahead. I look forward to that kind of leadership, for, when you are in troubling times, you plant the seeds to make it better.

Our instruction to America is that no area should be left out. The rural poor should not be left out. The urban centers should not be left out. As we are watching the States, we are seeing that some of them are making decisions that do not impact all of the people. We are going to call them to be able to be held accountable because this money is not for their own personal piggy banks.

Let me also say, Mr. Speaker, that I was gratified that the chairman of the Homeland Security Committee allowed me to travel to Guantanamo Bay yes-

terday. It is, in fact, a place where our soldiers are working very hard, but it is also a place where we can find another location. We are studying the issue, but I think it is possible to close Guantanamo Bay.

#### A PROPOSED TAX HOLIDAY

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

Mr. GOHMERT. Mr. Speaker, I have proposed a tax holiday plan. The bill has been filed. I think the first one was laid over here on the Clerk's desk as soon as we were sworn in. It would allow the American people to keep their own income for 2 months. It would allow them to keep their withholding.

When I brought it up to President Obama, he seemed intrigued by the idea. He said, "Ah, you need to talk to Larry Summers about it."

Larry Summers said, "Sure, I'll talk to you."

Well, he didn't take my calls, but nonetheless, I was really gratified Saturday to hear the President say he was going to put people's money, their withholdings, in their paychecks so they wouldn't have to wait for a rebate check. I said, "Wow, fantastic. He's going to help the American people."

The average household was going to get to keep about \$1,000 a month under the proposal. It was going to be great. It was going to help people buy cars. Yet, as it turns out, he said it's \$65 a month. Boy, that's like throwing somebody who's drowning a toothpick and saying, "Grab hold and hang on and we'll help you." Let's get them their real money back.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

#### HONORING PAUL NEWMAN

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 18) honoring the life, achievements, and contributions of Paul Newman.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 18

Whereas Paul Newman, a great American actor, film director, entrepreneur, humanitarian, and automobile racing enthusiast, passed away on September 26, 2008;

Whereas Paul Newman was born on January 26, 1925, in Shaker Heights, Ohio;

Whereas following his service in the Navy during World War II in the Pacific theater, Paul Newman completed his degree at Kenyon College and later at the Yale School of Drama;

Whereas Paul Newman is considered one of America's most accomplished actors and his career in film and on stage spanned over fifty years;

Whereas Paul Newman was nominated for ten Oscars, winning Best Actor in 1986 for his role in *The Color of Money* and two honorary Oscars, the Humanitarian Award in 1993 and the Lifetime Achievement Award in 1985;

Whereas Paul Newman brought life to many memorable characters, including "Hud", "Cool Hand Luke", "Butch Cassidy", "Henry Gondorff", and "Fast Eddie";

Whereas in 1982, Paul Newman co-founded Newman's Own, a premium food and beverage company that began with salad dressings and has expanded to over 150 varieties of all-natural food and beverage products;

Whereas Paul Newman was a dedicated philanthropist, donating all of the profits from Newman's Own sales for educational and charitable purposes, totaling over \$250,000,000 in donations;

Whereas Paul Newman founded eleven Hole in the Wall camps around the world, named for the outlaw gang made famous by Newman's portrayal of Butch Cassidy in *Butch Cassidy and the Sundance Kid*, and dedicated to providing free recreation to children with cancer and other serious illnesses;

Whereas Paul Newman founded the Scott Newman Foundation for the prevention of drug abuse in 1978 after the death of his son;

Whereas Paul Newman was a successful racecar driver and well-rounded athlete, winning several Sports Car Club of America national driving titles and competing in Daytona in 1995 on the occasion of his 70th birthday;

Whereas Paul Newman was beloved by his family, friends, and neighbors for his great generosity, good humor, and spirited charm; and

Whereas Paul Newman's humanitarian works and incomparable talents have made him an American icon who will never be forgotten: Now, therefore, be it

*Resolved*, That the House of Representatives honors the life and accomplishments of Paul Newman for his many contributions to American film, theater, and philanthropy.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Ohio (Mr. JORDAN) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

#### GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

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

On behalf of the House Committee on Oversight and Government Reform, I am pleased to stand in support of House Resolution 18, which expresses admiration and honor for the life, achievement and contributions of screen legend and philanthropist Paul Newman, who, as we all know, lost his battle against cancer last September.

Paul Newman was born in Cleveland, Ohio, to parents Arthur and Teresa Newman during the tumultuous economic times of the 1920s. A supposed athletic powerhouse, Paul Newman's first love during high school ended up being football rather than acting or theater. However, following high school graduation, the legendary Newman would eventually enlist in the United States Navy Air Corps, and would spend a portion of his service time as a radio operator in the Pacific during World War II.

Upon conclusion of his military service, Mr. Newman resumed his collegiate pursuits by attending Kenyon College of Ohio where he would major in theater, thereby fostering his love of acting and the arts. In addition to his undergraduate studies, Mr. Newman also studied at Yale's School of Drama before taking a leap of faith and pursuing his acting ambitions on New York's famed Broadway scene—and the rest, as they say, is history.

From his 1953 Broadway debut in the Pulitzer Prize winning comedy "Picnic" to his unforgettable roles in such films as "Cat on a Hot Tin Roof," "Cool Hand Luke," "Butch Cassidy and the Sundance Kid," and the 1982 version of "The Verdict," Mr. Newman's talent has crossed generations and has touched the lives of millions of Americans over nearly a half century.

In addition to his acting career, Mr. Newman is also well-known for his love of Nascar racing and for his extraordinary philanthropical efforts made possible by the proceeds of his famous Newman's Own salad dressing products. Since inception, Newman's Own has donated over \$250 million to thousands of charities and worthy causes around the world, including Hole in the Wall Camps, which he and his wife, Joanne Woodward, created as a safe haven for children facing life-threatening illnesses.

Mr. Speaker, there is no doubt that Paul Newman's legacy, talents and contributions to our country's cultural and social fabric will long be remembered. Nevertheless, House Resolution 18, as introduced by Steve Cohen of Tennessee and considered by the House Committee on Oversight and Government Reform, allows our Chamber to also express our gratitude and commemoration for the life of Paul Newman. For this reason alone, I ask my colleagues to join me in supporting House Resolution 18.

I reserve the balance of my time.

Mr. JORDAN of Ohio. Mr. Speaker, I rise to speak in favor of H. Res. 18.

It is my pleasure to stand here and recognize a fellow Ohioan for his great years of service. The world lost one of its greatest actors, film directors, entrepreneurs, and humanitarians last September when Paul Leonard Newman lost his battle with lung cancer at the age of 83—the legendary actor, whose steely blue eyes, good humor and passion for helping the less fortunate made him one of the most promi-

nent figures in the American arts for over 50 years.

Paul Newman was born on January 26, 1925 in Shaker Heights, Ohio. His father owned a sporting goods store, but Mr. Newman was more interested in following his mother's and uncle's interest in the arts, and he started acting in grade school. After less than a year at Ohio University in Athens, he joined the Navy, and served for 3 years during World War II. After the war, he attended Kenyon College on an athletic scholarship where he played football and acted in numerous plays before graduating in 1949. Mr. Newman later studied drama at Yale University, and soon thereafter, he made his first debut on Broadway in the play "Picnic." A year later, in 1954, he starred in his first Hollywood film, "The Silver Chalice," a flop that he good-naturedly laughed at for the rest of his life.

Although his first film was a failure in his eyes, the 1956 movie "Somebody Up There Likes Me" made him a star, and more hits followed: "The Long, Hot Summer" opposite his soon-to-be wife, Joanne Woodward, "Cat on a Hot Tin Roof" and "The Young Philadelphians." All of these film classics have withstood the test of time for movie enthusiasts.

Mr. Newman was one of the few actors who successfully made a transition from 1950s cinema to the new film eras of the 1960s and 1970s. He began the decade with "Exodus," "The Hustler," "Sweet Bird of Youth," "Hud," "Harper and Hombre," and many more. In 1968, he turned to directing, earning enthusiastic reviews for his work on "Rachel, Rachel," starring his wife. In the late 1960s and early 1970s, Mr. Newman played an integral part in the creation of the highest grossing films of their time—"Butch Cassidy and the Sundance Kid" and "The Sting"—winning many awards, including best picture for the latter.

However, the movies and occasional stage roles were never enough. In the 1970s, he turned to race car driving, an obsession he picked up in midlife after he was cast as a race car driver in the film "Winning." His first race was in 1972, and his first professional victory was in 1982. He was a co-owner of the Newman/Haas Indy racing team, and at the age of 70, he participated in the 24 Hours of Daytona. He was still racing at the age of 80.

In 1982, as a joke, he decided to sell the salad dressing he created and bottled for friends and family at Christmas. Thus was born the food marketing phenomenon known as "Newman's Own" products. More than 25 years later, the brand has expanded to include other foods, ranging from popcorn to spaghetti sauce to wine. All of its profits, more than \$200 million, have been donated to charity. Much of the money was used to create a number of Hole in the Wall Gang Camps named after the outlaw gang in "Butch Cassidy." The eleven summer camps, located all over the world, provide free recreation for gravely ill children.

His humanitarian efforts also reach to those with alcohol and drug addiction at the Scott Newman Center, which is in honor of his first born and only son, who died in 1978 at the age of 28 because of a drug and alcohol overdose. It is run by the oldest of his five daughters, Susan Newman, and its mission is to publicize the danger of drugs and alcohol.

Finally, 25 years after “The Hustler” and seven Academy Award nominations, Mr. Newman won an Oscar in 1986 for his role in “The Color of Money.” He continued to act, charming many with his role in “Road to Perdition” at the age of 77. He finally retired in 2007, saying he had lost his confidence and abilities.

The world will mourn Paul Newman—the actor, race car driver and renowned philanthropist—and those blue eyes that mesmerized the public will live on in his wonderful films for generations to come.

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

Mr. LYNCH. At this point, I would like to recognize my friend for 5 minutes, Representative STEVE COHEN from Tennessee.

Mr. COHEN. Mr. Speaker, I rise to honor the life, achievements and contributions of Paul Leonard Newman—a man whose legacy remains in his films and philanthropy.

I, like, I think, every other American am a longtime admirer of Paul Newman’s, and I wanted to honor him last year in Congress when he passed, but we were in the process of adjourning, and time didn’t make it possible.

In 1985, while a Tennessee State Senator, I sponsored a similar resolution because he had just started his work with Newman’s Own, and his philanthropy was starting to spark the Nation. He responded when I sent him a copy of the resolution with a very nice note, signed by Paul Newman, with the return address simply being “Paul Newman.” The understated response was typical of a man who was so understated.

Sunday night at the Academy Awards, in their tribute to artists who had passed away in the previous year, we were reminded of this gentleman when he was shown on the screen and received the greatest applause from his cohorts—members of the academy. Newman’s daughter described him as a rare symbol of selfless humanity.

Paul Newman was inspirational. His acting career crossed generations. I remember my mother and father enjoying him much when I was a child, and it spanned some 50 years.

In 1986, he won two awards from the Academy—one for best actor, and the other was an honorary Oscar, in part, for his personal integrity and dedication to his craft, but then in 1994, he was awarded a third—the Jean Hersholt Humanitarian Award for his philanthropic work. Only Frank Sinatra and Paul Newman have so been honored in history.

Newman’s astonishing career took a major leap in 1982 when he and his pal and buddy, the noted writer A.E. Hotchner, founded Newman’s Own food company. With that change came much moneys for charity and a new salad dressing for me and for many Americans, Mr. Speaker, and new spaghetti sauce and new popcorn—Paul Newman’s Own.

They established a policy that all proceeds from Newman’s Own products would be donated to charities, all of the profits through Newman’s Own Foundation. That has resulted in over \$250 million already going to charities around the world.

In the fall of 1988, he opened his first Hole in the Wall Camp in Connecticut for children with serious medical conditions, conditions ranging from cancer to HIV/AIDS, to hemophilia and sickle cell anemia. Over the years that camp has gone worldwide. It has gone to Africa, Asia and the Middle East—seeing children who have devastating illnesses and giving them an opportunity for a summer of enjoyment and laughter. Newman used to visit these camps just to take a look. The kids did not know who he was, but he got a great feeling from worthwhile projects by just watching these young people, and he saw how much they enjoyed the opportunity to have recreation. He served over 135,000 young people over the years.

In his charitable work, he has invested his own time in choosing the charities which go from environmental to educational to the arts, and those charities have gone all over the world. He used his fame to give away much of his fortune. While we have had philanthropic Americans like Melinda and Bill Gates and Ted Turner and in my city Danny Thomas, who came and did so much for St. Jude, I don’t think anybody has given such a percentage of their fortune and continues to do so as Paul Newman.

He was one of the founders of the committee encouraging corporate philanthropy—a membership organization of CEOs and corporate chairpersons committed to raising the level of quality of global corporate philanthropy. The committee leads the business community in developing sustainable and strategic community partnerships through philanthropy.

In these times, Mr. Speaker, more people need to assume personal responsibility and contribute to those who are suffering. Paul Newman continues to do so through his charities.

At the end of the Oscars on that tribute to those who passed, Paul Newman was shown on the screen as Chance Wayne in “Sweet Bird of Youth,” and he was quoted as saying, “The biggest difference between people is not between the rich and the poor, the good and the evil. The biggest difference between people is between those who have had the pleasure of love and those who haven’t.”

These words were not Paul Newman’s. They were the writer’s, but they

were Paul Newman’s life. They were his life—his 50-years of marriage to Joanne Woodward and the love he had for her and for his children. He was not your typical Hollywood star, and it was also his love for people in his charitable work.

□ 1245

I’d like to close by using Newman’s own tradition and spirit: “Shameless exploitation in pursuit of the common good.”

Mr. Speaker, I urge everyone to go to Newmansown.com, look at Paul Newman, think about Paul Newman, and today and every day buy salad dressing, popcorn, spaghetti sauce, and other products of Paul Newman’s and let his legacy live on and support the charities: Shameless exploitation in the pursuit of the common good.

Mr. JORDAN of Ohio. Mr. Speaker, I will continue to reserve.

Mr. LYNCH. Mr. Speaker, at this time I am very pleased to recognize the distinguished gentleman from Connecticut (Mr. COURTNEY) for 2 minutes.

Mr. COURTNEY. Mr. Speaker, it is obvious from listening to the prior comments of this great resolution that Paul Newman touched a lot of parts of America: His birthplace in Ohio; the time he spent, obviously, in Hollywood making movies; Tennessee, other places. But he did, for the last half of his life, live in Westport, Connecticut, a place that our State was always glad to embrace him and his wonderful wife, Joanne Woodward.

He was somebody who, in the State of Connecticut, was usually seen in jeans, in casual clothes, probably even having a libation now and then at community events, very low-key, and never really looking to draw attention to himself.

It’s been mentioned earlier the great work that he did founding the Hole in the Wall Gang, which was an extraordinary accomplishment even in just the latter stage of his life. And the first camp which he founded was in Ashford, Connecticut, in eastern Connecticut, a 30-acre farm by the Harakaly family. Again, a place where children suffering chronic, in many cases crushing illnesses were able to come and actually enjoy life as a summer camper which otherwise would never ever have been possible.

I just wanted to share a description by one of the boards of directors about when Paul Newman would show up at the camp because he didn’t just go through the motions of just leaving his name, but he appeared in many instances to participate in camp activities. He loved to talk about the little kids who had no idea who he was, the friendly old guy who kept showing up at camp to take them fishing. While their counselors stammered star struck, the campers indulged Newman the way they would have indulged a particularly friendly hospital blood technician.

It took me years to understand why Newman loved being at the Hole in the

Wall Gang Camp. It was for precisely the same reasons these kids did. When the campers showed up, they became regular kids, despite the catheters and the wheelchairs and the prosthetic legs. And when Newman showed up, he was a regular guy with blue eyes, despite the Oscars and the race cars and the burgeoning marinara empire.

The most striking thing about Paul Newman was that a man who could have blasted through life demanding, "Have you any idea who I am," invariably wanted to hang out with the folks, often the little ones who neither knew or cared.

Again, I want to applaud Mr. COHEN for bringing this extraordinary measure and calling our Members for unanimous support.

Mr. JORDAN of Ohio. Mr. Speaker, I will continue to reserve.

Mr. LYNCH. Mr. Speaker, at this time I would like to recognize Chairman GEORGE MILLER from California for 2 minutes.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, I rise today in support of this resolution to honor the life and accomplishments of Paul Newman, a truly great American and a man I am proud to have called my friend.

Sadly, Paul passed away late last year. Paul was a magnificent human being. While he played the anti-hero on the silver screen, in real life he was a true hero. Like his character Cool Hand Luke, Paul Newman was not afraid to rock the boat.

Paul never limited his horizons—in his acting, his advocacy, or his vision of our world. He once admonished some of his colleagues who shied away from politics, he said, "Do you abdicate the responsibilities of citizenship merely because you carry a Screen Actors' Guild card . . . Or do you dig deeply and become as knowledgeable an expert as you can and speak your piece and hope your weight was being thrown on the right side?"

I knew Paul before he knew me, and when our friend, Lizzie Robbins, introduced us to one another, I realized I had never met anyone like him in public life before. He was modern despite his age, he remained curious throughout his life, he had an enormous passion and steadfast commitment. He started the Hole in the Wall Gang kids camp for kids with life-threatening diseases, and they attended the camp free of charge.

He was an advocate of nuclear disarmament, early childhood development, and a healthy environment. He even helped to pioneer alternative fuel technologies to cut carbon emissions.

It was an honor to be on the receiving end of his exultations, his missives, his opinion pieces for the vision that he and I shared for peace and justice for this world—even while the right wing tried to punish him in the marketplace for his willingness to speak his mind.

But the right wing could never win that argument because America knew Paul Newman, and they trusted him.

With Paul's enormous success in acting and business where he raised over \$250 million for the charity of his Newman's Own brand—and that's in addition to giving away half of his income a year.

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

Mr. LYNCH. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. GEORGE MILLER of California. In giving away half his income to causes he supported, it was especially striking how humble Paul had remained throughout his life. But Paul was the first to acknowledge luck in his life. He said, "The beneficence of it," he said, "in many lives and the brutality of it in the lives of others, especially children, who might not have a lifetime to make up for it."

Paul once asked what he owed his fans after all of these years, to which he humbly replied, "Thank you." And that's exactly what the world owes him.

I want to thank Congressman COHEN for introducing this resolution, and I want to offer, obviously, my best wishes to Paul's family—the kids and the grandkids—and to that magnificent partner of his in a magnificent relationship, Joanne, and thank them for sharing Paul with us during his great life.

Mr. HIMES. Mr. Speaker, I rise to honor a great artist, humanitarian, and longtime resident of Connecticut's 4th District, Paul Newman.

Paul's achievements in philanthropy and the arts are well known. He was an Academy Award-winning film star whose food company, Newman's Own, donated more than \$250 million in profits and royalties to charitable causes. Lesser known, however, are Paul's contributions to the community of Westport, Connecticut, where he and his wife Joanne Woodward resided for nearly 50 years together.

Though they could have easily used their Westport home as an escape from their many national and international projects, Paul and Joanne chose instead to become quiet pillars of their town. They were regular volunteers at the Historical Society, the Public Library, and the Westport Country Playhouse—a cultural mecca in my district whose outreach in the community is tremendous, and where Joanne remains Artistic Director.

If you want to know the Paul Newman that Westport knew, consider the following story. In 2000, the Westport YMCA wanted to honor the Newmans for its "Faces of Achievement" award and wrote to Paul regarding this idea. The following was Newman's gracious response:

On my 70th birthday, my wife Joanne and I resolved not to accept any more honors. Not, you understand out of arrogance, just a mellow belief that we had been honored in gracious sufficiency and that more would constitute excess. As the daughter says in Thornton Wilders' *Our Town*, "Momma, am I pretty?" Momma replies, "You're pretty enough for all normal purposes." Joanne and I have been fortunate to be honored enough 'for all normal purposes.'

Notwithstanding the grace and modesty that Paul carried with him everywhere, we hope that wherever you are, Paul, you'll indulge us in honoring you just one more time.

Barbara Walters once asked Paul Newman what he wanted his epitaph to be. He replied, "That I was part of our times." Paul Newman was both part and paragon of his times, and we in Connecticut will dearly miss him.

Mr. JORDAN of Ohio. Mr. Speaker, I urge support for H. Res. 18.

I yield back the balance of our time.

Mr. LYNCH. Mr. Speaker, again, I urge my colleagues to join with Mr. COHEN and the other speakers in supporting the resolution at hand.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 18.

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

A motion to reconsider was laid on the table.

#### RECOGNIZING THE SIGNIFICANCE OF BLACK HISTORY MONTH

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 83) recognizing the significance of Black History Month.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

##### H. RES. 83

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

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

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

Whereas despite involuntary servitude, African-Americans have made significant contributions to the economic, educational, political, artistic, literary, religious, scientific, and technological advancement of the Americas;

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

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

Whereas the greatness of the United States is reflected in the historic election of Barack Obama, an American of African ancestry, to the Office of the President of the United States of America;

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

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

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

*Resolved*, That the House of Representatives—

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

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

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Ohio (Mr. JORDAN) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

#### GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

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

As a Member of the House Committee on Oversight and Government Reform and Chair of the House Subcommittee on the Federal Workforce, I'm pleased to stand in full support and consideration of House Resolution 83, which calls for Congress to recognize the significance of Black History Month, which is annually commemorated during the month of February.

House Resolution 83 was introduced by our colleague, Representative AL GREEN of Texas, on January 23, 2009, and was considered by and reported from the Oversight Committee on February 11, 2009, by a voice vote.

The measure has strong support and cosponsorship of over 70 Members of Congress. Yet today's floor consideration of the bill gives Members of this body an opportunity to pay tribute to the remarkable contributions that African Americans have made to America's growth department and rich history.

As we are aware, February marks the beginning of Black History Month, which was first celebrated as Negro History Week in 1926 by Carter G. Woodson, a noted African American author and scholar; but it has since become a month-long commemorative celebration as a way of recognizing and highlighting the role that black Americans have played in America since its existence, and the role they continue to play in the country on a daily basis.

From the story of Crispus Attucks, a black man from my home State of Massachusetts, who became the first American casualty of the Revolu-

tionary War during the Boston Massacre, to such powerful individuals as Harriet Tubman, Benjamin Banneker, Dr. Martin Luther King, Jr., Malcolm X, Madam C.J. Walker, General Colin Powell, to the thousands of military service men and women who have bravely served our nation, to the Members of our own Congressional Black Caucus and, of course, to our now 44th President of the United States, Barack Obama, who will speak to this body this evening.

The contributions that black Americans have made to this great Nation are intricately woven into who we are as a people and as a country. And it is not just the pioneers or the leaders that have made a difference, but importantly, it is the everyday citizen that's serving as a teacher, a mentor, a pastor, a doctor, a first responder, a public servant, or a parent who continues to impact our country's history in such a powerful and positive way.

Across our great land, Black History Month is marked by the offerings of educational and cultural programs, heightened media coverage and special celebrations and events designed to share with the world the strength, the ingenuity, and accomplishments of our fellow American citizens.

Mr. Speaker, as we move to recognize Black History Month and this year's educational theme of "The quest for black citizenship in the Americas," let us all recall the experience and valuable contributions of African Americans to the United States of America. Moreover, let us not forget that black history is truly American history.

And with that, I urge the swift passage of House Resolution 83.

I reserve the balance of my time.

Mr. JORDAN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

I am honored to speak today in support of H. Res. 83, which has been sponsored by my distinguished colleague from Texas, Mr. AL GREEN, to recognize Black History Month.

Each February during Black History Month, we express our appreciation for the determination and perseverance of the African American community, as well as remember the struggles they have endured. This resolution is a fitting tribute as we just last month celebrated both the life of the Reverend Martin Luther King, Jr., and the historic inauguration of the first African American President of the United States, Barack Obama.

This resolution seeks to do several things. First, it memorializes the great costs African Americans have paid for injustices of the past and present. The Civil Rights Movement and the events that led up to it were a pivotal point in our history. Martin Luther King, Jr., led the charge to right the wrongs of discrimination and strove to create a nation where all men and women are truly equal.

This resolution also seeks to honor the many contributions African Ameri-

cans have made to all facets of our lives.

We recognize scientists, such as George Washington Carver, who have changed our daily lives; politicians, religious figures, and activists who have helped shape our Nation, and the artists, entertainers, and sports heroes who continue to make our daily lives more enjoyable.

The collective contributions of the African American community has touched every one of our lives in a positive way.

I reserve the balance of our time.

□ 1300

Mr. LYNCH. Mr. Speaker, at this time, I would like to recognize the chief sponsor of this resolution, my friend from Texas (Mr. AL GREEN), for 4 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, I thank Chairman TOWNS, Ranking Member ISSA, Subcommittee Chair Lynch, the manager of the resolution on the floor from Ohio, Congressman JORDAN, and I also thank the many cosponsors of this resolution.

Mr. Speaker, how appropriate it is that this resolution would come to the floor of the House of Representatives on the day that the newly elected President of the United States of America would address a joint session of Congress. How appropriate it is because the newly elected President of the United States of America is a significant manifestation of how important black history is in the United States of America. It is on this day that he will address this joint session of Congress, and he is a person of African ancestry.

While it is true that we should remember the horrors of history, it is equally as true that we should celebrate the successes of history. And I believe that this resolution is a means by which we can engage in the celebration of good deeds accomplished and great things done that can engender the inspiration to do that which must be done.

So let us today celebrate the fact that African Americans were able to overcome involuntary servitude with the help of Americans of good will of all hues, of all colors. And because they were helped and they were able to overcome involuntary servitude, we should allow this to engender the inspiration necessary to go forward and deal with some of the problems that African Americans are confronting today, the problems of housing that finds African Americans without homes many times and being evicted from homes on too many occasions.

Let's celebrate the many successes in the area of education, from Phillis Wheatley, to many other great educators, Dr. Benjamin Mays, for example. And as we celebrate their successes, let this engender within us the inspiration to deal with the dropout rates around this country that can be in excess of 50 percent in some quarters of the African American community.

Let's celebrate the successes in the civil rights movement that enabled us to overcome the indignation and humiliation of segregation. But as we celebrate this, let it engender within us the inspiration to help the many who are still suffering around the world, who have not had their human rights and human dignity respected by their governments.

Let us celebrate the many political accomplishments that we have right here in the House of Congress. We have Member CHARLIE RANGEL, who happens to chair Ways and Means; Member BENNIE THOMPSON, African American, who happens to chair Homeland Security; Member MAXINE WATERS, African American, who happens to chair the Housing Subcommittee of Financial Services.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. LYNCH. I yield the gentleman 1 more minute.

Mr. AL GREEN of Texas. And as we celebrate the accomplishments of these great and noble Americans here in the House of Representatives, let it provide the inspiration for us to understand that we are here not because of our color, not because we are of African ancestry, we are here because the people of America expect us to do the great work that has to be done.

So this is a time for celebration that engenders inspiration, and I am honored to be inspired to move forward and support this resolution. And I beg that all of my colleagues would vote for it.

Mr. LYNCH. Mr. Speaker, at this time, I am pleased to recognize the gentlelady from New York (Mrs. MCCARTHY) for 2 minutes.

Mrs. MCCARTHY of New York. Mr. Speaker, I rise today in support of H. Res. 83, commemorating the annual celebration of Black History Month.

As our Nation celebrates Black History Month this February, we are fortunate to also mark a unique milestone with the election that was mentioned before by my colleague of the first African American President. How proud we all are that this day has come.

While it can be said that this extraordinary achievement has brought about a new era in our history, it is important that we take time to remember all of those who made great sacrifices to help make the dream of equality in our Nation a reality.

Black History Month gives all Americans a chance to mark how far our Nation has come, and serves as a useful reminder of the struggle and efforts of those Americans who fought for freedom for all citizens in our Nation.

I am blessed that I have many African Americans in my community that certainly went through the struggle of the civil rights, and the stories they tell and how they come into the schools and continue to tell the stories. And I think it's important that our young people know the struggles to get to where we have a President, so they

can lift up their heads and say, "I can be President of the United States."

While Black History Month was originally created in February to mark the birthdays of both Abraham Lincoln and Frederick Douglas, both of whom had enormous impacts on the lives of African Americans, it was developed into an opportunity to celebrate lives and works of the many ordinary African Americans who have helped to enrich our society and improve our Nation.

In the case of the civil rights movement, as it is so often the case in American history, it was the everyday Americans that had the greatest role in making the change that brought equality to our Nation. The struggle for equal rights and the civil rights movement are defining points in our Nation's history and serve as proof that our greatest adversities can come from our greatest achievements.

I urge my colleagues to vote for H. Res. 83.

Mr. LYNCH. Mr. Speaker, at this time, it gives me great pleasure to recognize the gentleman from Georgia (Mr. SCOTT) for 3 minutes.

Mr. SCOTT of Georgia. Mr. Speaker, on February 12, 1909, exactly 100 years ago this month, a group of 60 persons came together as a result of a race riot in Springfield, Illinois, the birthplace of Abraham Lincoln; very ironic, the emancipator of this Nation.

It is very important for us to recognize that these groups of people came together, 60 in number, to make amends and to address the racial conditions in the United States at the turn of the century and as a result of this riot in Springfield, Illinois. But it's also important to note that of these 60 individuals, 53 were white people and seven were black people, headed up by W.E.B. Du Bois and Ida Wells Bennett, strong Americans who rose to the occasion.

You know, one of the great NAACP writers, Langston Hughes, put it best when he was describing the condition of the African American people when he wrote that, "Life for me (African Americans) ain't been no crystal stair. It's had tacks in it and splinters, and boards torn up, no carpet on the floor, bare. But all the while I've been a climbin' on and reaching landings and turnin' corners, and sometimes going in the dark where there ain't been no light." But in February of 1909, there came a light, and that light was the NAACP.

What an extraordinary story. And no greater testimony can be given to the NAACP than to recognize that on this very evening, for the first time in American history, an African American, the President of the United States, will address a joint session of Congress. What an extraordinary tribute on the very time that we are here to celebrate 100 years of the NAACP founding.

So on this occasion we say, happy birthday, NAACP, and thank you.

Mr. LYNCH. Mr. Speaker, at this point, I would be honored to recognize Representative DONALD PAYNE from New Jersey for 2 minutes.

Mr. PAYNE. Thank you for allowing me to participate in this very important recognition of Black History Month. And let me thank Congressman AL GREEN in particular for bringing H.R. 83, which recognizes the significance of Black History Month, to the House floor.

Over 80 years ago, Dr. Carter G. Woodson and the men of Omega Psi Phi created Negro History and Literature Week, which called upon the black community to study black history and literature as well as raise awareness about our community's contributions to American history. At that time, the seed was planted. The movement that grew out of the black churches, colleges, schools and community centers flowered in the designation by President Jimmy Carter of February as Black History Month.

For over 30 years, the Nation, and particularly the black community, has used February as a time to shine a light on the achievements that African Americans at every level have made to our community, our Nation, and to the world. The contributions that African Americans have made to the creation and evolution of our Nation, while sometimes glossed over, are so intricately interwoven in the American fabric. To know American history, one must know black history; they go hand in hand. Far too often black history has been watered down to disconnected factoids and pieces of trivia or quick mentions in our schools' history books. We, as a Nation, lost sight of the fact that the accomplishments of African Americans are not ones of disjointed milestones, but ones that have been innumerable, continuous, enduring and diversified.

Dr. John Hope Franklin once recalled a conversation he had with Dr. Woodson where the latter wished for a time—

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. LYNCH. I would like to recognize the gentleman for 1 additional minute.

Mr. PAYNE. Where the history of African Americans would be made an integral part of American history.

Well, let me conclude by saying that, in New Jersey, we have been able to have legislation called the Amistad bill, A1301, that incorporates the history of African Americans into the history books and has a commission—it was a bill that was introduced by Senator Bill Payne in 2002—and the history of African Americans is now to be interwoven into the regular history of our Nation. And that's where we should strive for the day where we will not have a separate African American history month, but that the accomplishments of African Americans would be interwoven into our history books.

Mr. JORDAN of Ohio. Mr. Speaker, before urging passage of the resolution,

let me just say I think it's a testimony of the greatness of this country that both the two major political parties today have an African American as their leader, with both Michael Steele, and of course our President, Barack Obama.

I urge the passage of this important resolution, and I yield back the balance of my time.

Mr. LYNCH. I thank the gentleman from Ohio.

Mr. Speaker, again I want to urge my colleagues to join myself, Representative AL GREEN—who is the chief sponsor of this resolution—Mr. PAYNE, and others who have spoken here today in supporting and recognizing the significance of Black History Month by voting in favor of House Resolution 83.

Ms. WATERS. Mr. Speaker, I rise in strong support of House Resolution 83, Recognizing the Significance of Black History Month and am proud to be an original cosponsor of this measure.

Some have asked if our country still needs to formally recognize Black History Month? My answer is absolutely, yes! Just as students are taught about American and World History throughout their school years, the contributions of African American to this great nation and to the world still need to be taught and re-taught. In fact, the recent and historic inauguration of President Barack Obama as our country's first African American President of the United States of America underscores the continued need to celebrate Black History Month.

While most Americans now know President Barack Obama's story, too many Americans still do not know or understand that he stands on the shoulders of many brave African American men and women. In fact, just a few years ago, most of my colleagues here in the House had never heard of a young leader named Barack Obama. Black History Month gives us a wonderful opportunity to share a better understanding of their stories of hardship and inspiration with new generations of Americans.

While many people may have held about Malcom X or Dr. Martin Luther King, Jr. or Rosa Parks, far too many young people don't know about Shirley Chisholm, the first African American woman to serve in this House of Representatives and to run for President of the United States. Too many young people still have no idea about the work of Fannie Lou Hammer to ensure that African Americans in Mississippi could actually exercise the right to vote and not just point to the words printed on paper.

We have come an incredibly long way from the struggles that Dr. Carter G. Woodson faced in 1926 to set aside one week in February to recognize the contributions of African Americans to this country. It seems so fitting that we are now able to devote the entire month of February for this important recognition, in the month that we also celebrate the lives of Abraham Lincoln and Frederick Douglass. For all the problems faced by America during the lifetimes of Lincoln and Douglass, including the barbaric but legal institution of slavery, and a civil war that almost destroyed the union, by studying the contributions of these great leaders, the country made itself better.

That is why we must continue our celebrations of Black History Month—so we can learn

more about the contributions of unsung leaders as well as those whose name we already know. In recognizing Black History Month, we continue the work necessary to make a more perfect union. Black History Month is not simply a time for ceremony, it is a time to live up to our promise by making equality, freedom and justice our national reality.

Mr. BISHOP of Georgia. Mr. Speaker, once again the month of February is upon us and we take a moment to look back. We look back and remember the fighters, the marchers, and the dreamers. We look back and remember those who marched on when they were told to stand down, and who remained seated when they were told to get up. We pay tribute to those heroes whose voices are heard across the generations, and to those heroes whose defiant silence rings louder than any word can be spoken. It is Black History Month. It is a month of solemn remembrance; and a month of exuberant hope.

So let us look back to remember and to honor those who refused to allow the status quo to hold this nation back from the fulfillment of its promise. Let us honor the ordinary slave, who embraced extraordinary courage to flee his oppressors and help maintain our union; the airman who fought and died for a country whose promise was not yet his, but who refused to stop believing what it could become; the preacher's son from Georgia, who dared to march and dared to dream; and the funny-named son of a Kenyan man and a Kansas woman who asked a nation what it wanted to become. Let us take this opportunity to remember these people, and the countless others who struggled by their side, honoring them with humility and gratitude.

Yet, also as we celebrate this month of remembrance, there is a principle that must not be forgotten: let us look back in order to honor the struggles and celebrate the triumphs of African-Americans throughout our history, but let us not forget that those struggles were endured and those triumphs attained so that we may look forward. These heroes of the past fought for that right. That right to look forward towards a future brighter than the past, filled with the opportunities that give our nation so much promise. If we wish to continue the progress towards our forebears' vision we must never forget this crucial principle.

Furthermore, it is this principle of looking forward which makes this Black History Month so different from the rest. This Black History Month we see, for the first time, the unequivocal results of more than two hundred years of looking forward, of more than two hundred years of fighting for the hope of tomorrow, and of struggling for the promise of the future. We see this in our new president, who embodies not only everything so many before him have struggled for, but everything we continue to strive for. As President Obama himself has said, "What we have already achieved gives us hope—the audacity to hope—for what we can and must achieve tomorrow."

Thus, Mr. Speaker I would like to leave my colleagues and the American people with what I believe to be the fundamental purpose of Black History Month: to look back, to the heroes and happenings of the past, so that we and our children may look forward to a future of greater promise, greater justice, and greater opportunity than has ever been previously imagined.

Mr. HONDA. Mr. Speaker, each February we celebrate Black History Month. This year,

with the inauguration of President Barack Obama, the centennial of the National Association for the Advancement of Colored People (NAACP), and the bicentennial of Abraham Lincoln's birthday, our celebration of the unique contributions of African Americans to our communities and our Nation is particularly meaningful. Black History Month gives us a chance to reflect on those individuals who have changed the course of American history. We remember political leaders, such as Frederick Douglass, Rosa Parks, and Martin Luther King Jr. who fought valiantly to bring civil rights and social equality to African Americans. We honor athletic heroes, such as Jackie Robinson and Willie Thrower, gifted artists such as Louis Armstrong and Ray Charles, and scientists and inventors such as George Washington Carver and Benjamin Banneker, who for decades showed African Americans that they could make a mark in the world.

Race relations in our Nation have come a long way since the days of its founding, and even since the 1960's when equal rights were equal on paper only in many places. Last month, amid adoring cries and astronomical crowds, Americans inaugurated their first African American President: President Barack Obama. In years past, we have been able to read our children stories of great accomplishments made by African Americans. We have been able to encourage our children, showing them by example that they can achieve anything they set their hearts to. This year, parents and teachers around the country will read to their children not only the stories of Douglass, of Parks, and of Booker T. Washington, but also the story of an African American boy who grew up to become the President of the United States. The story of the Black people in America continues to develop with each passing year, and this year proved a climactic chapter, full of hope and opportunity for the future.

As the proud founder and chairman of the Congressional Ethiopia and Ethiopian American Caucus, one of my goals is to increase awareness around the United States of the important contributions that members of the Ethiopian American community have made to our society. I am truly grateful for the diverse contributions of African Americans to our Nation and I encourage everyone to take time to learn more about their achievements during Black History Month. I urge my colleagues to support H. Res. 83, which recognizes the significance of Black History Month, and I thank my friend Representative AL GREEN for introducing the resolution.

Mr. DINGELL. Mr. Speaker, I rise today as a strong supporter and cosponsor of H. Res. 83. 73 years ago, Dr. Carter G. Woodson strove to highlight the significant contributions of African-Americans to United States of America. Throughout this nation's history, African-Americans have played an enormous role in shaping our political, cultural, and intellectual identity. I am especially proud to recognize this year's Black History Month under the leadership of our first African-American President, Barack Obama.

Last week, as I celebrated becoming the longest-serving member of the House of Representatives, I was able to reflect on the highlights of my tenure. One of my proudest moments was voting for the 1957 Civil Rights Act, a vote that almost cost me my seat. I later had the similar honor of voting the 1964

and 1965 Civil Rights Acts. Today, with the passage of this resolution, we recognize great civil rights pioneers like Harriet Tubman, Rosa Parks, Martin Luther King, Jr., Representative JOHN LEWIS, and Jesse Jackson.

Mr. Speaker, I again rise to support this important month for America and the many contributions of African-Americans throughout U.S. history, and I urge my colleagues to join me in voting "yes" on H. Res. 83.

Mr. LYNCH. 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 Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 83.

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. LYNCH. 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.

□ 1315

COLONEL JOHN H. WILSON, JR.  
POST OFFICE BUILDING

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 234) to designate the facility of the United States Postal Service located at 2105 East Cook Street in Springfield, Illinois, as the "Colonel John H. Wilson, Jr. Post Office Building".

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 234

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

**SECTION 1. COLONEL JOHN H. WILSON, JR. POST OFFICE BUILDING.**

(a) DESIGNATION.—The facility of the United States Postal Service located at 2105 East Cook Street in Springfield, Illinois, shall be known and designated as the "Colonel John H. Wilson, Jr. Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Colonel John H. Wilson, Jr. Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Ohio (Mr. JORDAN) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

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

Mr. Speaker, as chairman of the House subcommittee with jurisdiction over the United States Postal Service, I am pleased to present for consideration Senate bill 234, which will designate the United States postal facility located at 2105 East Cook Street in Springfield, Illinois, as the "Colonel John H. Wilson, Jr. Post Office Building."

Notably, this legislation was introduced by Senator RICHARD DURBIN on January 14, 2009, and was passed by the Senate under unanimous consent on February 12, 2009. Our own colleague Representative PHIL HARE of Illinois has introduced House companion bill H.R. 516, and I should note that the House measure enjoys the support of the entire Illinois congressional delegation and has been reported favorably by the House Oversight Committee.

A lifelong native of Springfield, Illinois, Colonel Wilson proudly spent 14 years on active duty in the United States Army, during which he served as a first lieutenant under General George S. Patton in World War II. As a result of his distinguished wartime service, Colonel Wilson subsequently received the Silver Star, a military distinction awarded to those members of the United States Armed Forces who have demonstrated "gallantry in action."

Colonel Wilson followed his active duty service by spending 17 additional years in the United States Army Reserve as a member and ultimately group commander of Springfield-based 303rd Ordinance Ammunition Group. In 1965 upon his promotion to colonel, he became the first African American resident of Illinois to obtain this distinguished military commissioned officer rank in the Army Reserve, which is an honor worthy of being celebrated today during Black History Month and throughout the year.

However, the designation of the East Cook Street postal facility in honor of Colonel Wilson is not only fitting in light of Colonel Wilson's combined 31 years of military service but also given his 57 years of dedicated civilian service as an employee of the United States Postal Service and a proud member of the American Postal Workers Union.

Regrettably, Colonel Wilson passed away in August of last year in his beloved hometown of Springfield, Illinois. He was 89 years old. Mr. Speaker, let us also show our gratitude for the service rendered by Colonel John Wilson by passing Senate 234.

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

Mr. JORDAN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of this bill to designate the facility of the United States Postal Service located at 2105 East Cook Street in Springfield, Illinois, as the "Colonel John H. Wilson, Jr. Post Office Building."

Born on December 18, 1918, in Springfield, Illinois, Colonel Wilson was a true American hero and a pioneer who fought bravely under General George Patton in France during World War II. For his bravery during the war, he was awarded the Silver Star.

An outstanding U.S. Postal Service employee in Springfield for 57 years, Wilson became the first African American Reservist from Illinois to achieve the rank of colonel. Wilson retired from the military in 1973 as group commander of the now-deactivated Springfield-based 303rd Ordinance Ammunition Group after serving for 14 years in active duty and another 17 years in the Reserves.

Sadly, on August 3, 2008, Colonel Wilson died in Springfield, Illinois, in the same Spring Street home in which he was born 89 years before. He leaves behind his wife, Lydia, and their two children.

This honor is appropriate, and by placing his name on the Springfield Post Office where he served for so many years, the memory of his service to his country and community will live on.

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

Mr. LYNCH. Mr. Speaker, at this time I would like to yield such time as he may consume to the chief sponsor of this resolution, the distinguished gentleman from Illinois (Mr. HARE).

Mr. HARE. Mr. Speaker, I thank my friend Mr. LYNCH for yielding.

I rise today in strong support of S. 234, a bill to name the Cook Street Post Office in Springfield, Illinois, after Colonel John H. Wilson, Jr.

I am deeply honored to have been allowed to introduce H.R. 516, the companion bill to the legislation before us today with the support of the entire Illinois delegation.

Colonel John H. Wilson answered the call to serve not once but twice in his life before he passed last year. During World War II, he joined the segregated United States Army and received the Silver Star for Gallantry. Mr. Wilson later served in the U.S. Army Reserves, and in 1965 he was promoted to colonel, the first African American from Illinois to achieve this rank.

Assistant Secretary to the Department of Veterans Affairs, Tammy Duckworth, praised Colonel Wilson's distinguished military career saying, "If it wasn't for the brave men and women like Colonel Wilson, we would not have the same freedoms we do today. America would just not be the same."

Following his military retirement in 1973, Colonel Wilson joined the United States Postal Service. For 57 years, 6 days a week, through rain, sleet, and snow, Colonel Wilson worked at the Cook Street Post Office and was an active member of the American Postal Workers Union. Ron Smith, President of the Lincoln Land Area Local, remembers Colonel Wilson as a dedicated employee. He said to me, "John always

sought to bring honor and integrity to the postal service through his words and his actions and recognized the ever important role that the postal service has played in the everyday lives of everyone."

Mr. Speaker, bestowing Colonel Wilson's name to the post office where he served his community for so many years is only a small tribute to a man who dedicated his entire life to the service of others. As we celebrate Black History Month, it is fitting that we honor this great American hero and pioneer. I ask my colleagues to support S. 234.

To his wife of 63 years, Lydia, and their two daughters and two grandsons, it is my privilege to share Colonel Wilson's story today. I know he made you proud as he has made the people of Illinois proud.

Thank you to my good friend and Illinois colleague Senator DICK DURBIN for introducing this legislation. I would also like to thank Chairman TOWNS and Ranking Member ISSA for working with me to bring this bill to the floor.

Mr. JORDAN of Ohio. Mr. Speaker, I urge all Members to support the passage of S. 234, and I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, again I urge my colleagues to join me and Representative HARE. It is not every day that we are able to dedicate a postal building in memory of a career postal clerk and member of the American Postal Workers Union. So for that reason I ask our colleagues to join us in supporting Senate 234.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the Senate bill, S. 234.

The question was taken.

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

Mr. LYNCH. 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.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

approval of the Journal, de novo; motions to suspend the rules with regard to:

H.R. 80, de novo;  
H.R. 637, by the yeas and nays;  
H. Res. 83, by the yeas and nays; and

S. 234, by the yeas and nays.

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

#### THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

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

Mr. JORDAN of Ohio. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 242, nays 163, not voting 27, as follows:

[Roll No. 75]

YEAS—242

Abercrombie	Ellison	Levin
Ackerman	Engel	Lewis (GA)
Adler (NJ)	Eshoo	Lipinski
Andrews	Etheridge	Loeback
Baca	Fattah	Loftgren, Zoe
Baird	Filner	Lujan
Baldwin	Forbes	Lummis
Barrow	Foster	Lynch
Bean	Frank (MA)	Maffei
Becerra	Fudge	Maloney
Berkley	Gerlach	Markey (CO)
Berman	Gonzalez	Markey (MA)
Berry	Goodlatte	Marshall
Bilbray	Gordon (TN)	Massa
Bishop (NY)	Grayson	Matheson
Blumenauer	Green, Al	Matsui
Boccieri	Green, Gene	McCarthy (NY)
Boren	Griffith	McClintock
Boswell	Grijalva	McCollum
Boucher	Gutierrez	McDermott
Boyd	Hall (NY)	McGovern
Brady (PA)	Halvorson	McIntyre
Braley (IA)	Hare	McMahon
Bright	Harman	McNerney
Brown, Corrine	Hastings (FL)	Meek (FL)
Butterfield	Heinrich	Meeks (NY)
Capps	Heller	Melancon
Capuano	Herseth Sandlin	Michaud
Cardoza	Higgins	Miller (NC)
Carnahan	Hill	Miller, George
Carson (IN)	Himes	Minnick
Castor (FL)	Hinchey	Mollohan
Chandler	Hinojosa	Moore (KS)
Clarke	Hirono	Moore (WI)
Clay	Hodes	Moran (VA)
Cleaver	Hoekstra	Murphy (CT)
Clyburn	Holt	Murphy, Patrick
Cohen	Honda	Murtha
Connolly (VA)	Hoyer	Nadler (NY)
Conyers	Inslee	Napolitano
Cooper	Israel	Neal (MA)
Costa	Jackson (IL)	Oberstar
Costello	Jackson-Lee	Obey
Courtney	(TX)	Olver
Crowley	Johnson (GA)	Ortiz
Cuellar	Johnson (IL)	Pallone
Cummings	Kagen	Pascarell
Dahlkemper	Kanjorski	Pastor (AZ)
Davis (AL)	Kaptur	Payne
Davis (CA)	Kennedy	Perlmutter
Davis (IL)	Kildee	Peters
Davis (TN)	Kilpatrick (MI)	Pingree (ME)
DeFazio	Kilroy	Pollis (CO)
DeGette	Kind	Pomeroy
Delahunt	Kingston	Posey
DeLauro	Kissell	Price (NC)
Dent	Klein (FL)	Rahall
Dicks	Kosmas	Rangel
Dingell	Kratovil	Reichert
Doggett	Kucinich	Reyes
Doyle	Langevin	Richardson
Driehaus	Larsen (WA)	Rodriguez
Edwards (MD)	Larson (CT)	Ross
Edwards (TX)	Lee (CA)	Rothman (NJ)

Roybal-Allard	Shea-Porter	Towns
Ruppersberger	Sherman	Tsongas
Rush	Shuler	Van Hollen
Ryan (OH)	Sires	Velázquez
Salazar	Slaughter	Vislosky
Sánchez, Linda	Smith (WA)	Walz
T.	Snyder	Waters
Sanchez, Loretta	Speier	Watt
Sarbanes	Spratt	Waxman
Schakowsky	Stupak	Weiner
Schauer	Tanner	Welch
Schiff	Tauscher	Wexler
Schrader	Taylor	Whitfield
Schwartz	Thompson (CA)	Wilson (OH)
Scott (GA)	Thompson (MS)	Woolsey
Scott (VA)	Tierney	Yarmuth
Serrano	Titus	
Sestak	Tonko	

NAYS—163

Aderholt	Franks (AZ)	Myrick
Akin	Frelinghuysen	Neugebauer
Alexander	Gallely	Nunes
Altmire	Garrett (NJ)	Nye
Arcuri	Giffords	Olson
Austria	Gingrey (GA)	Paul
Bachus	Granger	Paulsen
Barrett (SC)	Graves	Pence
Bartlett	Guthrie	Peterson
Barton (TX)	Hall (TX)	Petri
Biggart	Harper	Pitts
Billirakis	Hastings (WA)	Platts
Bishop (UT)	Hensarling	Poe (TX)
Blackburn	Herger	Price (GA)
Bonner	Hunter	Putnam
Bono Mack	Inglis	Radanovich
Boozman	Issa	Rehberg
Boustany	Jenkins	Roe (TN)
Brady (TX)	Johnson, E. B.	Rogers (AL)
Broun (GA)	Johnson, Sam	Rogers (KY)
Brown (SC)	Jones	Rogers (MI)
Brown-Waite,	Jordan (OH)	Rohrabacher
Ginny	King (IA)	Rooney
Buchanan	King (NY)	Ros-Lehtinen
Burton (IN)	Kirk	Roskam
Buyer	Kirkpatrick (AZ)	Royce
Calvert	Kline (MN)	Lamborn
Camp	Lance	Ryan (WI)
Cantor	Latham	Scalise
Capito	LaTourette	Schmidt
Carney	LaTourette	Schock
Carter	Latta	Sensenbrenner
Castle	Lee (NY)	Shadegg
Chaffetz	Lewis (CA)	Shimkus
Childers	Linder	Simpson
Coble	LoBiondo	Smith (NE)
Coffman (CO)	Lucas	Smith (NJ)
Cole	Luetkemeyer	Smith (TX)
Conaway	Lungren, Daniel	Space
Crenshaw	E.	Stearns
Culberson	Mack	Terry
Davis (KY)	Manzullo	Thornberry
Deal (GA)	Marchant	Tiahrt
Diaz-Balart, L.	McCarthy (CA)	Tiberi
Diaz-Balart, M.	McCauley	Turner
Donnelly (IN)	McCotter	Upton
Dreier	McHenry	Walden
Duncan	McKeon	Wamp
Ehlers	McMorris	Westmoreland
Ellsworth	Rodgers	Wilson (SC)
Emerson	Mica	Wittman
Falkin	Miller (FL)	Wolf
Flake	Miller (MI)	Wu
Fleming	Mitchell	Young (AK)
Fortenberry	Moran (KS)	Young (FL)
Foxx	Murphy, Tim	

NOT VOTING—27

Bachmann	Holden	Stark
Bishop (GA)	Lowey	Sullivan
Blunt	McHugh	Sutton
Boehner	Miller, Gary	Teague
Burgess	Perriello	Thompson (PA)
Campbell	Sessions	Wasserman
Cao	Shuster	Schultz
Cassidy	Skelton	Watson
Farr	Solis (CA)	
Gohmert	Souder	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). One minute remains in this vote.

□ 1350

Messrs. DUNCAN, GINGREY of Georgia, BROUN of Georgia and Mrs.

EMERSON changed their vote from “yea” to “nay.”

Mr. DAVIS of Illinois changed his vote from “nay” to “yea.”

So the Journal was approved.

The result of the vote was announced as above recorded.

#### TRIBUTE TO MICHAEL W. SHEEHY

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

Ms. PELOSI. Mr. Speaker, I rise to sing the praises of Mike Sheehy, a person who has served our country for over 30 years in the military and on Capitol Hill. Unfortunately for us, Mike Sheehy is moving on after over 30 years of service, and so it is with mixed feelings that I say how proud we are of him, but how sad we are to see him leave.

Mike began in the Congress of the United States as an aide in 1977 to Congressman Eddie Boland of Massachusetts. That is a name familiar to many of us here in the Chamber. He served as Chairman Boland’s administrative assistant, and then went on to serve him as Staff Director and Chief Counsel at the House Intelligence Committee, and that is where many of us became more fully aware of Mike’s contribution to our country.

He came to my staff in 2003 when I became House Democratic leader. He became the security adviser to that office. That same year he was recognized with the prestigious Director’s Award, the highest award given by the Defense Intelligence Agency.

Mike is the proud father of three children, Beth, Matt and Tim. His children are continuing the family commitment to public service. Beth served in the Peace Corps in Kazakhstan and Matt served proudly in our Nation’s military.

Of all the people that I have worked with and served with in this Congress and beyond, I can say that Mike Sheehy is truly an all-American patriot. He loves America. He came here after attending Marquette University and Georgetown Law School and serving in the Navy. Since then he has been serving our country, staffing the Congress of the United States.

Leaving after 33 years, he leaves a foundation of knowledge and experience and judgment to those of us who will carry on.

Thank you, Mike Sheehy, for your leadership and your service to our country.

Mr. HOYER. Will the Speaker yield?

Ms. PELOSI. I am pleased to yield to the gentleman.

Mr. HOYER. I thank the gentlewoman for yielding.

Mr. Speaker, Members of the House, I have risen before to note how well this country is served by those who work for this institution and with all of us. They are not elected; they are selected. They are selected by those of us who have been given the honor and privi-

lege of serving in this body. They are, however, equally important. They don’t have a vote, but they have extraordinary influence, and their influence in many respects is in direct relation to the substance of their advice and counsel.

By that yardstick, I think there is no staff person with whom I have worked through the years that surpasses Mike Sheehy in terms of the value added to the considerations of the critical issues that confront our country.

In particular, Mr. Sheehy has been involved in some of the information most vital to protecting our people and our Nation. He has done so with great intellect, with great integrity, with great insight, with great thoughtfulness.

Mike, America does not know the name Mike Sheehy, doesn’t see you on C-SPAN, but they have been extraordinarily well-served by you. Well, they may have seen him from time to time perhaps on C-SPAN. But they have been extraordinarily well-served by you. Your country has been well-served by you in the Navy and in this institution, and each and every one of us have been well-served by you. But in particular I know, as I said as we were walking to the Chamber, the Speaker of our House will uniquely miss your quiet presence, your extraordinarily good advice and counsel, and your steady hand.

Mr. Speaker, I express my gratitude to Michael Sheehy, a true public servant of the finest caliber—who leaves us at the end of the week.

Mike has spent 30 years on Capitol Hill, following five years in the Navy. That makes a grand total of 35 years in public service to the people of this great Nation.

I have known Mike personally for several years. He is a studied and cautious professional, with extremely sound judgment and an almost unparalleled depth of policy knowledge on national security issues.

Most recently, I had the pleasure of working with Mike on renewing the Foreign Intelligence Surveillance Act. Mike proved critical to the arduous negotiations, and went above the call of duty—spending several late nights with me, in my office, poring over bill text.

He has been an asset and a loyal friend to me and my staff, certainly to Speaker PELOSI, and to the Members he served before her. He is irreplaceable and will be missed tremendously, although we wish him well in all that lies ahead.

Godspeed. Good luck. Well done.

Ms. PELOSI. I am pleased to yield to the gentleman from Texas.

Mr. REYES. I thank the gentlelady for yielding.

Mr. Speaker, I rise today to pay tribute as well to our Speaker’s national security adviser and former staff director to the House Permanent Select Committee on Intelligence, Mr. Michael Sheehy.

As chairman of the Permanent Select Committee on Intelligence, I have had the immense honor of working closely with Mike on significant intelligence issues of our day. Whether the subject

matter is foreign intelligence surveillance laws, satellite technology or human intelligence operations, he is virtually a walking encyclopedia of knowledge.

Mike’s national security expertise is the result of many years of public service, first during his time in the U.S. Navy JAG Corps, and then in the 10 years he spent as an aide to the late Representative Edward Boland.

As some of you may remember, Mr. Boland was the first chairman of the House Intelligence Committee and he earned great distinction as the father of the Boland Amendment, which prohibited funding of U.S. involvement in the Nicaraguan Contras uprising. Acting as an associate staff member for the House Iran-Contra Investigating Committee, Mike had a front-row seat to the history that evolved during his service to Representative Boland.

Mike joined the Intelligence Committee as chief counsel in 1990 under the leadership of then-chairman Anthony Beilenson. In 2003, he received the Defense Intelligence Agency’s Director’s Award, the highest award given by that agency. It was at that time that he left the committee when then-minority leader, our Speaker today, hired him as her senior policy adviser. To me, it seems she knew a good thing when she saw it. We missed him on the committee, but we were glad he was there advising our Speaker.

In the time that I have had the privilege to serve as a member and now as chairman of the Intelligence Committee, I have grown to rely on him and discovered that Mike’s depth and breadth of intelligence knowledge are only surpassed in my opinion by his exacting eye for detail, his capacity to focus on the bigger picture and his ability to find middle ground when there doesn’t seem to be any.

While he is often quiet, Mike is always processing, turning the information over and over in his head, and offering a measured, thoughtful response to whatever the situation may be.

Just as he has ably served the Speaker, he has become a trusted adviser for me as chairman and for our Intelligence Committee as well.

□ 1400

So, today, to Mike, I say thank you for your service to your Nation and thank you for your capable counsel on all matters of intelligence. I wish you success as you retire with over 35 years of public service, and I hope that you find much happiness in all of your endeavors. God bless you, Mike.

Ms. PELOSI. Thank you very much, Mr. Chairman.

Mr. Speaker, in conclusion I want to say that in addition to all the wonderful things that are said about Mike, simply put, without his leadership and knowledge staffing us on the Intelligence Committee at a crucial time in our country’s history, we would not have had a 9/11 Commission. I know

that Mr. Roemer, who authored that legislation in the House, would subscribe to that characterization as well. So whether it's force protection, 9/11 Commission, ongoing safety of the American people, the list goes on and on, Mike Sheehy has been there to protect the American people, which is our first responsibility.

Thank you, and God speed, Mike Sheehy. Thank you very much.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HOLDEN). Without objection, 5-minute voting will continue.

There was no objection.

#### CAPTIVE PRIMATE SAFETY ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 80.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 80.

The question was taken.

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

#### RECORDED VOTE

Mr. BLUMENAUER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 323, noes 95, not voting 14, as follows:

[Roll No. 76]

AYES—323

Abercrombie	Brown, Corrine	Delahunt
Ackerman	Buchanan	DeLauro
Adler (NJ)	Butterfield	Dent
Alexander	Buyer	Diaz-Balart, L.
Altmire	Calvert	Diaz-Balart, M.
Andrews	Camp	Dicks
Arcuri	Capito	Dingell
Austria	Capps	Doggett
Baca	Capuano	Donnelly (IN)
Bachus	Cardoza	Doyle
Baird	Carnahan	Driehaus
Baldwin	Carney	Edwards (MD)
Barrow	Carson (IN)	Edwards (TX)
Bartlett	Castle	Ehlers
Bean	Castor (FL)	Ellison
Becerra	Chandler	Ellsworth
Berkley	Childers	Emerson
Berman	Clarke	Engel
Berry	Clay	Eshoo
Biggert	Cleaver	Etheridge
Billbray	Clyburn	Farr
Bilirakis	Connolly (VA)	Fattah
Bishop (GA)	Conyers	Finer
Bishop (NY)	Cooper	Fleming
Blumenauer	Costa	Fortenberry
Boccheri	Costello	Foster
Bono Mack	Courtney	Frank (MA)
Boozman	Crowley	Frelinghuysen
Boren	Cuellar	Fudge
Boswell	Cummings	Galleghy
Boucher	Dahlkemper	Gerlach
Boustany	Davis (AL)	Giffords
Boyd	Davis (CA)	Gonzalez
Brady (PA)	Davis (IL)	Gordon (TN)
Braley (IA)	Davis (TN)	Granger
Bright	DeFazio	Grayson
Brown (SC)	DeGette	Green, Al

Green, Gene	Massa	Royce
Griffith	Matheson	Ruppersberger
Grijalva	Matsui	Rush
Gutierrez	McCarthy (CA)	Ryan (OH)
Hall (NY)	McCarthy (NY)	Salazar
Halvorson	McCollum	Sánchez, Linda
Hare	McCotter	T.
Harman	McDermott	Sanchez, Loretta
Hastings (FL)	McGovern	Sarbanes
Heinrich	McHugh	Schakowsky
Heller	McIntyre	Schauer
Herseht Sandlin	McKeon	Schiff
Higgins	McMahon	Schmidt
Hill	McMorris	Schock
Himes	Rodgers	Schrader
Hinchev	McNerney	Schwartz
Hinojosa	Meek (FL)	Scott (GA)
Hirono	Meeke (NY)	Scott (VA)
Hodes	Melancon	Sensenbrenner
Holden	Mica	Serrano
Holt	Michaud	Sestak
Honda	Miller (MI)	Shea-Porter
Hoyer	Miller (NC)	Sherman
Inslee	Miller, George	Shimkus
Israel	Minnick	Shuler
Jackson (IL)	Mitchell	Shuster
Jackson-Lee	Mollohan	Simpson
(TX)	Moore (KS)	Sires
Johnson (GA)	Moore (WI)	Skelton
Johnson (IL)	Moran (VA)	Slaughter
Johnson, E. B.	Murphy (CT)	Smith (NJ)
Jones	Murphy, Patrick	Smith (WA)
Kagen	Murphy, Tim	Snyder
Kanjorski	Murtha	Space
Kaptur	Nadler (NY)	Speier
Kennedy	Napolitano	Spratt
Kildee	Neal (MA)	Stearns
Kilpatrick (MI)	Nunes	Stupak
Kilroy	Nye	Sutton
Kind	Oberstar	Tanner
King (NY)	Obey	Tauscher
Kirk	Olver	Taylor
Kirkpatrick (AZ)	Ortiz	Teague
Kissell	Pallone	Thompson (CA)
Klein (FL)	Pascarella	Thompson (MS)
Kosmas	Pastor (AZ)	Tiberi
Kratovil	Paulsen	Tierney
Kucinich	Payne	Titus
Lance	Perlmutter	Tonko
Langevin	Peters	Towns
Larsen (WA)	Petri	Tsongas
Larson (CT)	Pingree (ME)	Turner
Latham	Platts	Upton
LaTourette	Polis (CO)	Van Hollen
Lee (CA)	Pomeroy	Velázquez
Lee (NY)	Price (NC)	Visclosky
Levin	Rahall	Wasserman
Lewis (CA)	Rangel	Schultz
Lewis (GA)	Rehberg	Waters
Linder	Reichert	Watt
Lipinski	Reyes	Waxman
LoBiondo	Richardson	Weiner
Loeback	Rodriguez	Welch
Lofgren, Zoe	Roe (TN)	Wexler
Lowe	Rogers (AL)	Whitfield
Lujan	Rogers (KY)	Wilson (OH)
Lynch	Rogers (MI)	Wittman
Maffei	Rooney	Wolf
Maloney	Ros-Lehtinen	Woolsey
Markey (CO)	Ross	Wu
Markey (MA)	Rothman (NJ)	Yarmuth
Marshall	Roybal-Allard	Young (FL)

#### NOES—95

Deal (GA)	Jordan (OH)
Dreier	King (IA)
Duncan	Kingston
Fallin	Kline (MN)
Fallon	Lamborn
Flake	Latta
Forbes	Lucas
Fox	Luetkemeyer
Franks (AZ)	Lummis
Garrett (NJ)	Lungren, Daniel
Gingrey (GA)	E.
Gohmert	Mack
Goodlatte	Manzullo
Graves	Marchant
Guthrie	McCaul
Hall (TX)	McClintock
Harper	McHenry
Hastings (WA)	Miller (FL)
Hensarling	Moran (KS)
Herger	Myrick
Hoekstra	Neugebauer
Hunter	Olson
Inglis	Paul
Issa	Pence
Jenkins	Peterson
Johnson, Sam	

Pitts	Ryan (WI)	Walden
Poe (TX)	Scalise	Walz
Posey	Sessions	Wamp
Price (GA)	Shadegg	Westmoreland
Putnam	Smith (NE)	Wilson (SC)
Radanovich	Sullivan	Young (AK)
Rohrabacher	Terry	
Roskam	Thornberry	

#### NOT VOTING—14

Bachmann	Miller, Gary	Stark
Campbell	Perriello	Thompson (PA)
Cao	Smith (TX)	Tiahrt
Cassidy	Solis (CA)	Watson
Cohen	Souder	

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1409

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 against:

Mr. TIAHRT. Mr. Speaker, on rollcall No. 76, I was unavoidably delayed. Had I been present, I would have voted "no."

#### SOUTH ORANGE COUNTY RECYCLED WATER ENHANCEMENT ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 637, 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 gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 637.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 402, nays 16, not voting 14, as follows:

[Roll No. 77]

YEAS—402

Abercrombie	Boehner	Castle
Ackerman	Bonner	Castor (FL)
Aderholt	Bono Mack	Chaffetz
Adler (NJ)	Boozman	Chandler
Akin	Boren	Childers
Alexander	Boswell	Clarke
Altmire	Boucher	Clay
Andrews	Boustany	Cleaver
Arcuri	Boyd	Clyburn
Austria	Brady (PA)	Coffman (CO)
Baca	Brady (TX)	Cohen
Bachus	Braley (IA)	Cole
Baird	Bright	Conaway
Baldwin	Brown (SC)	Connolly (VA)
Barrett (SC)	Brown, Corrine	Conyers
Barrow	Brown-Waite,	Cooper
Bartlett	Ginny	Costa
Barton (TX)	Buchanan	Costello
Bean	Burgess	Courtney
Becerra	Burton (IN)	Crenshaw
Berkley	Butterfield	Crowley
Berman	Buyer	Cuellar
Berry	Calvert	Culberson
Biggert	Camp	Cummings
Billbray	Cantor	Dahlkemper
Bilirakis	Capito	Davis (AL)
Bishop (GA)	Capps	Davis (CA)
Bishop (NY)	Capuano	Davis (IL)
Bishop (UT)	Cardoza	Davis (KY)
Blackburn	Carnahan	Davis (TN)
Blumenauer	Carney	Deal (GA)
Blunt	Carson (IN)	DeFazio
Boccheri	Carter	DeGette

Delahunt	Klein (FL)	Polis (CO)	Westmoreland	Wilson (SC)	Wu	Conyers	Inglis	Moran (KS)
DeLauro	Kline (MN)	Pomeroy	Wexler	Wittman	Yarmuth	Cooper	Inlee	Moran (VA)
Dent	Kosmas	Posey	Whitfield	Wolf	Young (AK)	Costa	Israel	Murphy (CT)
Diaz-Balart, L.	Kratovil	Price (CA)	Wilson (OH)	Woolsey	Young (FL)	Costello	Issa	Murphy, Patrick
Diaz-Balart, M.	Kucinich	Price (NC)				Courtney	Jackson (IL)	Murphy, Tim
Dicks	Lamborn	Putnam				Crenshaw	Jackson-Lee	Murtha
Dingell	Lance	Radanovich	Broun (GA)	Garrett (NJ)	Paul	Crowley	(TX)	Myrick
Doggett	Langevin	Rahall	Coble	Hensarling	Poe (TX)	Cuellar	Jenkins	Nadler (NY)
Donnelly (IN)	Larsen (WA)	Rangel	Duncan	Jordan (OH)	Shadegg	Culberson	Johnson (GA)	Napolitano
Doyle	Larson (CT)	Rehberg	Ehlers	Lummis	Stearns	Cummings	Johnson (IL)	Neal (MA)
Dreier	Latham	Reichert	Flake	McClintock		Dahlkemper	Johnson, E. B.	Neugebauer
Driehaus	Latta	Reyes	Franks (AZ)	Neugebauer		Davis (AL)	Johnson, Sam	Nunes
Edwards (MD)	Lee (CA)	Richardson				Davis (CA)	Jones	Nye
Edwards (TX)	Lee (NY)	Rodriguez				Davis (IL)	Jordan (OH)	Oberstar
Ellison	Levin	Roe (TN)	Bachmann	Kirk	Souder	Davis (KY)	Kagen	Obey
Ellsworth	Lewis (CA)	Rogers (AL)	Campbell	LaTourette	Stark	Davis (TN)	Kanjorski	Olson
Emerson	Lewis (GA)	Rogers (KY)	Cao	Miller, Gary	Thompson (PA)	Deal (GA)	Kaptur	Olver
Engel	Linder	Rogers (MI)	Cassidy	Perriello	Watson	DeFazio	Kennedy	Ortiz
Eshoo	Lipinski	Rohrabacher	Hirono	Solis (CA)		DeGette	Kildee	Pallone
Etheridge	LoBiondo	Rooney				Delahunt	Kilpatrick (MI)	Pascarell
Fallin	Loeb sack	Ros-Lehtinen				DeLauro	Kilroy	Pastor (AZ)
Farr	Lofgren, Zoe	Roskam				Dent	Kind	Paul
Fattah	Lowe y	Ross				Diaz-Balart, L.	King (IA)	Paulsen
Filner	Lucas	Rothman (NJ)				Diaz-Balart, M.	King (NY)	Payne
Fleming	Luetkemeyer	Roybal-Allard				Dicks	Kingston	Pence
Forbes	Lujan	Royce				Dingell	Kirk	Perlmutter
Fortenberry	Lungren, Daniel	Ruppersberger				Doggett	Kirkpatrick (AZ)	Peters
Foster	E.	Rush				Donnelly (IN)	Kissell	Peterson
Fox x	Lynch	Ryan (OH)				Doyle	Klein (FL)	Petri
Frank (MA)	Mack	Ryan (WI)				Dreier	Kline (MN)	Pingree (ME)
Frelinghuysen	Maffei	Salazar				Driehaus	Kosmas	Pitts
Fudge	Maloney	Sanchez, Linda				Duncan	Kucinich	Platts
Galle gly	Manzullo	T.				Edwards (MD)	Lamborn	Poe (TX)
Gerlach	Marchant	Sanchez, Loretta				Edwards (TX)	Lance	Polis (CO)
Giffords	Markey (CO)	Sarbanes				Ehlers	Langevin	Pomeroy
Gingrey (GA)	Markey (MA)	Scalise				Ellison	Larsen (WA)	Posey
Gohmert	Marshall	Schakowsky				Ellsworth	Larson (CT)	Price (GA)
Gonzalez	Massa	Schauer				Emerson	Latham	Price (NC)
Goodlatte	Matheson	Schiff				Engel	LaTourette	Putnam
Gordon (TN)	Matsui	Schmidt				Eshoo	Latta	Radanovich
Granger	McCarthy (CA)	Schock				Etheridge	Lee (CA)	Rahall
Graves	McCarthy (NY)	Schrader				Fallin	Lee (NY)	Rangel
Grayson	McCaul	Schwartz				Farr	Levin	Rehberg
Green, Al	McColum	Scott (GA)				Fattah	Lewis (CA)	Reichert
Green, Gene	McCotter	Scott (VA)				Filner	Lewis (GA)	Reyes
Griffith	McDermott	Sensenbrenner				Flake	Linder	Richardson
Grijalva	McGovern	Serrano				Fleming	Lipinski	Rodriguez
Guthrie	McHenry	Sessions				Forbes	LoBiondo	Roe (TN)
Gutierrez	McHugh	Sestak				Fortenberry	Loeb sack	Rogers (AL)
Hall (NY)	McIntyre	Shea-Porter				Foster	Lofgren, Zoe	Rogers (KY)
Hall (TX)	McKeon	Sherman				Fox x	Lowe y	Rogers (MI)
Halvorson	McMahon	Shimkus				Frank (MA)	Lucas	Rohrabacher
Hare	McMorris	Shuler				Franks (AZ)	Luetkemeyer	Rooney
Harman	Rodgers	Shuster				Frelinghuysen	Lujan	Ros-Lehtinen
Harper	McNerney	Simpson				Fudge	Lummis	Roskam
Hastings (FL)	Meek (FL)	Sires				Galle gly	Lungren, Daniel	Ross
Hastings (WA)	Meeks (NY)	Skelton				Garrett (NJ)	E.	Rothman (NJ)
Heinrich	Melancon	Slaughter				Gerlach	Lynch	Roybal-Allard
Heller	Mica	Smith (NE)				Giffords	Mack	Royce
Herger	Michaud	Smith (NJ)				Gingrey (GA)	Maffei	Ruppersberger
Herseth Sandlin	Miller (FL)	Smith (TX)				Gohmert	Maloney	Rush
Higgins	Miller (MI)	Smith (WA)				Gonzalez	Manzullo	Ryan (OH)
Hill	Miller (NC)	Snyder				Goodlatte	Marchant	Ryan (WI)
Himes	Miller, George	Space				Gordon (TN)	Markey (CO)	Salazar
Hinche y	Minnick	Speier				Granger	Markey (MA)	Sanchez, Linda
Hinojosa	Mitchell	Spratt				Graves	Marshall	T.
Hodes	Mollohan	Stupak				Grayson	Massa	Sanchez, Loretta
Hoekstra	Moore (KS)	Sullivan				Green, Al	Matheson	Sarbanes
Holden	Moore (WI)	Sutton				Green, Gene	Matsui	Scalise
Holt	Moran (KS)	Tanner				Griffith	McCarthy (CA)	Schakowsky
Honda	Moran (VA)	Tauscher				Grijalva	McCarthy (NY)	Schauer
Hoyer	Murphy (CT)	Taylor				Guthrie	McClintock	Schiff
Hunter	Murphy, Patrick	Teague				Gutierrez	McColum	Schmidt
Inglis	Murphy, Tim	Terry				Hall (NY)	McCotter	Schock
Inlee	Murtha	Thompson (CA)				Hall (TX)	McDermott	Schrader
Israel	Myrick	Thompson (MS)				Halvorson	McGovern	Schwartz
Issa	Nadler (NY)	Thornberry				Hare	McHenry	Scott (GA)
Jackson (IL)	Napolitano	Tiahrt				Harman	McHugh	Scott (VA)
Jackson-Lee	Neal (MA)	Tiberi				Harper	McIntyre	Sensenbrenner
(TX)	Nunes	Tierney				Hastings (FL)	McKeon	Serrano
Jenkins	Nye	Titus				Hastings (WA)	McMahon	Sessions
Johnson (GA)	Oberstar	Tonko				Heinrich	Heller	Sestak
Johnson (IL)	Obey	Towns				Heller	McMorris	Shadegg
Johnson, E. B.	Olson	Tsongas				Hensarling	Rodgers	Shea-Porter
Johnson, Sam	Olver	Turner				Herger	McNerney	Sherman
Jones	Ortiz	Upton				Herseth Sandlin	Meek (FL)	Shimkus
Kagen	Pallone	Van Hollen				Higgins	Meeks (NY)	Shuler
Kagan	Pascarell	Velázquez				Hill	Melancon	Shuster
Kaptur	Pastor (AZ)	Visclosky				Himes	Mica	Simpson
Kennedy	Paulsen	Walden				Hinche y	Michaud	Sires
Kildee	Payne	Walz				Hinojosa	Miller (FL)	Skelton
Kilpatrick (MI)	Pence	Wamp				Hirono	Miller (MI)	Slaughter
Kilroy	Perlmutter	Wasserman				Hodes	Miller (NC)	Smith (NE)
Kind	Peters	Schultz				Hoekstra	Miller, George	Smith (NJ)
King (IA)	Peterson	Waters				Holden	Minnick	Smith (TX)
King (NY)	Petri	Watt				Holt	Mitchell	Smith (WA)
Kingston	Pingree (ME)	Waxman				Honda	Mollohan	Snyder
Kirkpatrick (AZ)	Pitts	Weiner				Hoyer	Moore (KS)	Space
Kissell	Platts	Welch				Hunter	Moore (WI)	Speier

NAYS—16

NOT VOTING—14

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1417

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:  
Ms. HIRONO. Mr. Speaker, on rollcall No. 77, had I been present, I would have voted "yea."

RECOGNIZING THE SIGNIFICANCE OF BLACK HISTORY MONTH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 83, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 83.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 420, nays 0, not voting 12, as follows:

[Roll No. 78]

YEAS—420

Abercrombie	Bishop (UT)	Buyer
Aderholt	Blackburn	Calvert
Adler (NJ)	Blumenauer	Camp
Akin	Blunt	Cantor
Alexander	Boocier	Capito
Altmire	Boehner	Capps
Andrews	Bonner	Capuano
Arcuri	Bono Mack	Cardoza
Austria	Boozman	Carnahan
Baca	Boren	Carney
Bachus	Boswell	Carson (IN)
Baird	Boucher	Carter
Baldwin	Boustany	Castle
Barrett (SC)	Boyd	Castor (FL)
Barrow	Brady (PA)	Chaffetz
Bartlett	Brady (TX)	Chandler
Barton (TX)	Braley (IA)	Childers
Bean	Bright	Clarke
Becerra	Broun (GA)	Clay
Berkley	Brown (SC)	Cleaver
Berman	Brown, Corrine	Clyburn
Berry	Brown-Waite,	Coble
Biggert	Ginny	Coffman (CO)
Bilbray	Buchanan	Cohen
Bilirakis	Burgess	Cole
Bishop (GA)	Burton (IN)	Conaway
Bishop (NY)	Butterfield	Connolly (VA)

Spratt	Tierney	Watt	Crenshaw	Jackson-Lee	Nadler (NY)	Terry	Upton	Welch
Stearns	Titus	Waxman	Crowley	(TX)	Napolitano	Thompson (CA)	Van Hollen	Westmoreland
Stupak	Tonko	Weiner	Cuellar	Jenkins	Neal (MA)	Thompson (MS)	Velázquez	Wexler
Sullivan	Towns	Welch	Culberson	Johnson (GA)	Neugebauer	Thompson (PA)	Visclosky	Whitfield
Sutton	Tsongas	Westmoreland	Cummings	Johnson (IL)	Nunes	Thornberry	Walden	Wilson (OH)
Tanner	Turner	Wexler	Dahlkemper	Johnson, E. B.	Nye	Tiahrt	Walz	Wilson (SC)
Tauscher	Upton	Whitfield	Davis (AL)	Johnson, Sam	Oberstar	Tiberi	Wamp	Wittman
Taylor	Van Hollen	Wilson (OH)	Davis (CA)	Jones	Obey	Tierney	Wasserman	Wolf
Teague	Velázquez	Wilson (SC)	Davis (IL)	Jordan (OH)	Olson	Titus	Schultz	Woolsey
Terry	Visclosky	Wittman	Davis (KY)	Kagen	Olver	Tonko	Waters	Wu
Thompson (CA)	Walden	Wolf	Davis (TN)	Kanjorski	Ortiz	Towns	Watt	Yarmuth
Thompson (MS)	Walz	Woolsey	Deal (GA)	Kaptur	Pallone	Tsongas	Waxman	Young (AK)
Thompson (PA)	Wamp	Wu	DeFazio	Kennedy	Pascrell	Turner	Weiner	Young (FL)
Thornberry	Wasserman	Yarmuth	DeGette	Kildee	Pastor (AZ)			
Tiahrt	Schultz	Young (AK)	Delahunt	Kilpatrick (MI)	Paul			
Tiberi	Waters	Young (FL)	DeLauro	Kilroy	Paulsen			
			Dent	Kind	Payne			
			Diaz-Balart, L.	King (IA)	Pence			
			Diaz-Balart, M.	King (NY)	Perlmutter			
			Dicks	Kingston	Peters			
			Dingell	Kirk	Petri			
			Doggett	Kirkpatrick (AZ)	Pingree (ME)			
			Donnelly (IN)	Kissell	Pitts			
			Doyle	Klein (FL)	Platts			
			Dreier	Kline (MN)	Poe (TX)			
			Driehaus	Kosmas	Polis (CO)			
			Duncan	Kratovil	Pomeroy			
			Edwards (MD)	Kucinich	Posey			
			Edwards (TX)	Lamborn	Price (GA)			
			Ehlers	Lance	Price (NC)			
			Ellison	Langevin	Putnam			
			Ellsworth	Larsen (WA)	Radanovich			
			Emerson	Larson (CT)	Rahall			
			Engel	Latham	Rangel			
			Eshoo	LaTourette	Rehberg			
			Etheridge	Latta	Reichert			
			Fallin	Lee (CA)	Reyes			
			Farr	Lee (NY)	Richardson			
			Fattah	Levin	Rodriguez			
			Filner	Lewis (CA)	Roe (TN)			
			Flake	Lewis (GA)	Rogers (AL)			
			Fleming	Linder	Rogers (KY)			
			Forbes	Lipinski	Rogers (MI)			
			Fortenberry	LoBiondo	Rohrabacher			
			Foster	Loebbeck	Rooney			
			Fox	Lofgren, Zoe	Ros-Lehtinen			
			Frank (MA)	Lowey	Roskam			
			Franks (AZ)	Lucas	Ross			
			Frelinghuysen	Luetkemeyer	Rothman (NJ)			
			Fudge	Luján	Roybal-Allard			
			Gallegly	Lummis	Royce			
			Gerlach	Lungren, Daniel	Ruppersberger			
			Giffords	E.	Rush			
			Gingrey (GA)	Lynch	Ryan (OH)			
			Gohmert	Mack	Ryan (WI)			
			Gonzalez	Maffei	Salazar			
			Goodlatte	Maloney	Sánchez, Linda			
			Gordon (TN)	Manzullo	T.			
			Granger	Marchant	Sanchez, Loretta			
			Graves	Markey (CO)	Sarbanes			
			Grayson	Markey (MA)	Scalise			
			Green, Al	Marshall	Schakowsky			
			Green, Gene	Massa	Schauer			
			Griffith	Matheson	Schiff			
			Grijalva	Matsui	Schmidt			
			Guthrie	McCarthy (CA)	Schock			
			Gutierrez	McCarthy (NY)	Schrader			
			Hall (NY)	McClintock	Schwartz			
			Hall (TX)	McCollum	Scott (GA)			
			Halvorson	McCotter	Scott (VA)			
			Hare	McDermott	Sensenbrenner			
			Harman	McGovern	Serrano			
			Harper	McHenry	Sestak			
			Hastings (FL)	McHugh	Shadegg			
			Hastings (WA)	McIntyre	Shea-Porter			
			Heinrich	McKeon	Sherman			
			Heller	McMahon	Shimkus			
			Hensarling	McNerney	Shuler			
			Herger	Meeke (FL)	Shuster			
			Herseht Sandlin	Meeke (NY)	Simpson			
			Higgins	Melancon	Sires			
			Hill	Mica	Skelton			
			Himes	Michaud	Slaughter			
			Hinchee	Miller (FL)	Smith (NE)			
			Hinojosa	Miller (MI)	Smith (NJ)			
			Hirono	Miller (NC)	Smith (TX)			
			Hodes	Miller, George	Smith (WA)			
			Hoekstra	Minnick	Snyder			
			Holden	Mitchell	Space			
			Holt	Mollohan	Speier			
			Honda	Moore (KS)	Spratt			
			Hoyer	Moore (WI)	Stearns			
			Hunter	Moran (KS)	Stupak			
			Inglis	Moran (VA)	Sullivan			
			Inslee	Murphy (CT)	Sutton			
			Issa	Murphy, Patrick	Tanner			
			Issa	Murphy, Tim	Tauscher			
			Jackson (IL)	Murtha	Taylor			
				Myrick	Teague			

## NOT VOTING—12

Ackerman	Cassidy	Solis (CA)
Bachmann	McCaul	Souder
Campbell	Miller, Gary	Stark
Cao	Perriello	Watson

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1424

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COLONEL JOHN H. WILSON, JR.  
POST OFFICE BUILDING

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the Senate bill, S. 234, on which the yeas and nays were ordered.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the Senate bill, S. 234.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 417, nays 0, not voting 15, as follows:

[Roll No. 79]

YEAS—417

Abercrombie	Blackburn	Cantor
Ackerman	Blumenauer	Capito
Aderholt	Blunt	Capps
Adler (NJ)	Bocchieri	Capuano
Akin	Boehner	Cardoza
Alexander	Bonner	Carnahan
Altmire	Bono Mack	Carney
Andrews	Boozman	Carson (IN)
Arcuri	Boren	Carter
Austria	Boswell	Castle
Baca	Boucher	Castor (FL)
Bachus	Boustany	Chaffetz
Baird	Boyd	Chandler
Baldwin	Brady (PA)	Childers
Barrett (SC)	Brady (TX)	Clarke
Barrow	Braley (IA)	Clay
Bartlett	Bright	Cleaver
Barton (TX)	Broun (GA)	Clyburn
Bean	Brown (SC)	Coble
Becerra	Brown, Corrine	Coffman (CO)
Berkley	Brown-Waite,	Cohen
Berman	Ginny	Cole
Berry	Buchanan	Conaway
Biggart	Burgess	Connolly (VA)
Billray	Burton (IN)	Conyers
Bilirakis	Butterfield	Cooper
Bishop (GA)	Buyer	Costa
Bishop (NY)	Calvert	Costello
Bishop (UT)	Camp	Courtney

## NOT VOTING—15

Bachmann	McMorris	Solis (CA)
Campbell	Rodgers	Souder
Cao	Miller, Gary	Stark
Cassidy	Perriello	Watson
Garrett (NJ)	Peterson	
McCaul	Sessions	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remaining in this vote.

□ 1431

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore. After consultation among the Speaker and the majority and minority leaders, and with their consent, the Chair announces that, when the two Houses meet tonight in joint session to hear an address by the President of the United States, only the doors immediately opposite the Speaker and those immediately to her left and right will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House. Due to the large attendance that is anticipated, the rule regarding the privilege of the floor must be strictly enforced. Children of Members will not be permitted on the floor. The cooperation of all Members is requested.

The practice of reserving seats prior to the joint session by placard will not be allowed. Members may reserve their seats only by physical presence following the security sweep of the Chamber.

## 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 2 o'clock and 33 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1645

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POLIS of Colorado) at 4 o'clock and 45 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1105, OMNIBUS APPROPRIATIONS ACT, 2009

Mr. MCGOVERN, from the Committee on Rules, submitted a privileged report (Rept. No. 111-20) on the resolution (H. Res. 184) providing for consideration of the bill (H.R. 1105) making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes, which was referred to the House Calendar and ordered to be printed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 8:35 p.m. for the purpose of receiving in joint session the President of the United States.

Accordingly (at 4 o'clock and 46 minutes p.m.), the House stood in recess until approximately 8:35 p.m.

□ 2040

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 8 o'clock and 40 minutes p.m.

JOINT SESSION OF CONGRESS PURSUANT TO HOUSE CONCURRENT RESOLUTION 41 TO RECEIVE A MESSAGE FROM THE PRESIDENT

The Speaker of the House presided.

The Majority Floor Services Chief, Mr. Barry Sullivan, announced the Vice President and Members of the U.S. Senate, who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort the President of the United States into the Chamber:

The gentleman from Maryland (Mr. HOYER);

The gentleman from South Carolina (Mr. CLYBURN);

The gentleman from Connecticut (Mr. LARSON);

The gentleman from California (Mr. BECERRA);

The gentleman from Maryland (Mr. VAN HOLLEN);

The gentleman from California (Mr. GEORGE MILLER);

The gentlewoman from Connecticut (Ms. DELAURO);

The gentlewoman from Illinois (Ms. SCHAKOWSKY);

The gentleman from Ohio (Mr. BOEHNER);

The gentleman from Virginia (Mr. CANTOR);

The gentleman from Indiana (Mr. PENCE);

The gentleman from Michigan (Mr. MCCOTTER);

The gentlewoman from Washington (Mrs. MCMORRIS ROGERS);

The gentleman from Texas (Mr. CARTER);

The gentleman from Texas (Mr. SESSIONS); and

The gentleman from California (Mr. MCCARTHY).

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to escort the President of the United States into the House Chamber:

The Senator from Nevada (Mr. REID);

The Senator from Illinois (Mr. DURBIN);

The Senator from New York (Mr. SCHUMER);

The Senator from Washington (Mrs. MURRAY);

The Senator from New Jersey (Mr. MENENDEZ);

The Senator from North Dakota (Mr. DORGAN);

The Senator from Michigan (Ms. STABENOW);

The Senator from Vermont (Mr. LEAHY);

The Senator from Kentucky (Mr. MCCONNELL);

The Senator from Arizona (Mr. KYL);

The Senator from Tennessee (Mr. ALEXANDER);

The Senator from South Dakota (Mr. THUNE);

The Senator from Nevada (Mr. ENSIGN); and

The Senator from Texas (Mr. CORNYN).

The SPEAKER. I would like to acknowledge the presence and express appreciation to the captain of Flight 1549, Captain "Sully" Sullenberger.

The Majority Floor Services Chief announced the Dean of the Diplomatic Corps, His Excellency Roble Olhaye, Ambassador from the Republic of Djibouti.

The Dean of the Diplomatic Corps entered the Hall of the House of Representatives and took the seat reserved for him.

The Majority Floor Services Chief announced the Chief Justice of the United States and the Associate Justices of the Supreme Court.

The Chief Justice of the United States and the Associate Justices of the Supreme Court entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

The Majority Floor Services Chief announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 9 o'clock and 7 minutes p.m., the Majority Floor Services Chief and the Sergeant at Arms, the Honorable Wilson Livingood, announced the President of the United States.

The President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk.

(Applause, the Members rising.)

The SPEAKER. Members of the Congress, I have the high privilege and the distinct honor of presenting to you the President of the United States.

(Applause, the Members rising.)

The PRESIDENT. Madam Speaker, Mr. Vice President, Members of Congress, the First Lady of the United States:

I have come here tonight not only to address the distinguished men and women in this great Chamber, but to speak frankly and directly to the men and women who sent us here.

I know that for many Americans watching right now, the state of our economy is a concern that rises above all others. And rightly so. If you haven't been personally affected by this recession, you probably know someone who has—a friend; a neighbor; a member of your family. You don't need to hear another list of statistics to know that our economy is in crisis, because you live it every day. It's the worry you wake up with and the source of sleepless nights. It's the job you thought you'd retire from but now have lost; the business you built your dreams upon that's now hanging by a thread; the college acceptance letter your child had to put back in the envelope. The impact of this recession is real, and it is everywhere.

But while our economy may be weakened and our confidence shaken, though we are living through difficult and uncertain times, tonight I want every American to know this:

We will rebuild, we will recover, and the United States of America will emerge stronger than before.

The weight of this crisis will not determine the destiny of this nation. The answers to our problems don't lie beyond our reach. They exist in our laboratories and our universities, in our fields and our factories; in the imaginations of our entrepreneurs and the pride of the hardest working people on Earth. Those qualities that have made America the greatest force of progress and prosperity in human history we still possess in ample measure. What is required now is for this country to pull together, confront boldly the challenges we face, and take responsibility for our future once more.

Now, if we're honest with ourselves, we'll admit that for too long, we have not always met these responsibilities—as a government or as a people. I say this not to lay blame or to look backwards, but because it is only by understanding how we arrived at this moment that we'll be able to lift ourselves out of this predicament.

The fact is, our economy did not fall into decline overnight. Nor did all of our problems begin when the housing market collapsed or the stock market sank. We have known for decades that

our survival depends on finding new sources of energy. Yet we import more oil today than ever before. The cost of health care eats up more and more of our savings each year, yet we keep delaying reform. Our children will compete for jobs in a global economy that too many of our schools do not prepare them for. And though all of these challenges went unsolved, we still managed to spend more money and pile up more debt, both as individuals and through our government, than ever before.

In other words, we have lived through an era where too often, short-term gains were prized over long-term prosperity; where we failed to look beyond the next payment, the next quarter, or the next election. A surplus became an excuse to transfer wealth to the wealthy instead of an opportunity to invest in our future. Regulations were gutted for the sake of a quick profit at the expense of a healthy market. People bought homes they knew they couldn't afford from banks and lenders who pushed those bad loans anyway. And all the while, critical debates and difficult decisions were put off for some other time on some other day.

Well, that day of reckoning has arrived, and the time to take charge of our future is here.

Now is the time to act boldly and wisely—to not only revive this economy, but to build a new foundation for lasting prosperity. Now is the time to jump-start job creation, restart lending, and invest in areas like energy, health care and education that will grow our economy, even as we make hard choices to bring our deficit down. That is what my economic agenda is designed to do, and that is what I'd like to talk to you about tonight.

It's an agenda that begins with jobs.

As soon as I took office, I asked this Congress to send me a recovery plan by President's Day that would put people back to work and put money in their pockets. Not because I believe in bigger government—I don't. Not because I'm not mindful of the massive debt we've inherited—I am. I called for action because the failure to do so would have cost more jobs and caused more hardship. In fact, a failure to act would have worsened our long-term deficit by assuring weak economic growth for years. That's why I pushed for quick action. And tonight, I am grateful that this Congress delivered, and pleased to say that the American Recovery and Reinvestment Act is now law.

Over the next 2 years, this plan will save or create 3.5 million jobs. More than 90 percent of these jobs will be in the private sector—jobs rebuilding our roads and bridges; constructing wind turbines and solar panels; laying broadband and expanding mass transit.

Because of this plan, there are now teachers who can now keep their jobs and educate our kids. Health care professionals can continue caring for our sick. There are 57 police officers who are still on the streets of Minneapolis

tonight because this plan prevented the layoffs their department was about to make.

Because of this plan, 95 percent of the working households in America will receive a tax cut—a tax cut that you will see in your paychecks beginning on April 1st.

Because of this plan, families who are struggling to pay tuition costs will receive a \$2,500 tax credit for all 4 years of college. And Americans who have lost their jobs in this recession will be able to receive extended unemployment benefits and continued health care coverage to help them weather this storm.

I know there are some in this Chamber and watching at home who are skeptical of whether this plan will work. I understand that skepticism. Here in Washington, we've all seen how quickly good intentions can turn into broken promises and wasteful spending. And with a plan of this scale comes enormous responsibility to get it right.

That is why I've asked Vice President BIDEN to lead a tough, unprecedented oversight effort—because nobody messes with JOE. I have told each member of my Cabinet as well as mayors and governors across the country that they will be held accountable by me and the American people for every dollar they spend. I've appointed a proven and aggressive Inspector General to ferret out any and all cases of waste and fraud. And we have created a new Web site called [recovery.gov](http://recovery.gov) so that every American can find out how and where their money is being spent.

So the recovery plan we passed is the first step in getting our economy back on track. But it is just the first step. Because even if we manage this plan flawlessly, there will be no real recovery unless we clean up the credit crisis that has severely weakened our financial system.

I want to speak plainly and candidly about this issue tonight, because every American should know that it directly affects you and your family's well-being. You should also know that the money you've deposited in banks across the country is safe; your insurance is secure; and you can rely on the continued operation of our financial system. That's not the source of concern.

The concern is that if we do not restart lending in this country, our recovery will be choked off before it even begins.

You see, the flow of credit is the lifeblood of our economy. The ability to get a loan is how you finance the purchase of everything from a home to a car to a college education; how stores stock their shelves, farms buy equipment, and businesses make payroll.

But credit has stopped flowing the way it should. Too many bad loans from the housing crisis have made their way onto the books of too many banks. And with so much debt and so little confidence, these banks are now

fearful of lending out any more money to households, to businesses, or even to each other. When there is no lending, families can't afford to buy homes or cars. So businesses are forced to make layoffs. Our economy suffers even more, and credit dries up even further.

That is why this administration is moving swiftly and aggressively to break this destructive cycle, to restore confidence, and restart lending.

We will do so in several ways. First, we are creating a new lending fund that represents the largest effort ever to help provide auto loans, college loans, and small business loans to the consumers and entrepreneurs who keep this economy running.

Second, we have launched a housing plan that will help responsible families facing the threat of foreclosure lower their monthly payments and refinance their mortgages. It's a plan that won't help speculators or that neighbor down the street who bought a house he could never hope to afford, but it will help millions of Americans who are struggling with declining home values—Americans who will now be able to take advantage of the lower interest rates that this plan has already helped to bring about. In fact, the average family who refinances today can save nearly \$2,000 per year on their mortgage.

Third, we will act with the full force of the Federal Government to ensure that the major banks that Americans depend on have enough confidence and enough money to lend even in more difficult times. And when we learn that a major bank has serious problems, we will hold accountable those responsible, force the necessary adjustments, provide the support to clean up their balance sheets, and assure the continuity of a strong, viable institution that can serve our people and our economy.

I understand that on any given day, Wall Street may be more comforted by an approach that gives banks bailouts with no strings attached, and that holds nobody accountable for their reckless decisions. But such an approach won't solve the problem. And our goal is to quicken the day when we restart lending to the American people and American business and end this crisis once and for all.

I intend to hold these banks fully accountable for the assistance they receive, and this time, they will have to clearly demonstrate how taxpayer dollars result in more lending for the American taxpayer. This time, CEOs won't be able to use taxpayer money to pad their paychecks or buy fancy drapes or disappear on a private jet. Those days are over.

Still, this plan will require significant resources from the Federal Government—and, yes, probably more than we've already set aside. But while the cost of action will be great, I can assure you that the cost of inaction will be far greater, for it could result in an economy that sputters along for not

months or years, but perhaps a decade. That would be worse for our deficit, worse for business, worse for you, and worse for the next generation. And I refuse to let that happen.

I understand that when the last administration asked this Congress to provide assistance for struggling banks, Democrats and Republicans alike were infuriated by the mismanagement and results that followed. So were the American taxpayers. So was I.

So I know how unpopular it is to be seen as helping banks right now, especially when everyone is suffering in part from their bad decisions. I promise you—I get it.

But I also know that in time of crisis, we cannot afford to govern out of anger, or yield to the politics of the moment. My job—our job—is to solve the problem. Our job is to govern with a sense of responsibility. I will not spend a single penny for the purpose of rewarding a single Wall Street executive, but I will do whatever it takes to help the small business that can't pay its workers or the family that has saved and still can't get a mortgage.

That's what this is about. It's not about helping banks—it's about helping people. Because when credit is available again, that young family can finally buy a new home. And then some company will hire workers to build it. And then those workers will have money to spend, and if they can get a loan, too, maybe they'll finally buy that car, or open their own business. Investors will return to the market, and American families will see their retirement secured once more. Slowly, but surely, confidence will return, and our economy will recover.

So I ask this Congress to join me in doing whatever proves necessary. Because we cannot consign our nation to an open-ended recession. And to ensure that a crisis of this magnitude never happens again, I ask Congress to move quickly on legislation that will finally reform our outdated regulatory system. It is time to put in place tough, new commonsense rules of the road so that our financial market rewards drive and innovation, and punishes shortcuts and abuse.

The recovery plan and the financial stability plan are the immediate steps we're taking to revive our economy in the short term. But the only way to fully restore America's economic strength is to make the long-term investments that will lead to new jobs, new industries, and a renewed ability to compete with the rest of the world. The only way this century will be another American century is if we confront at last the price of our dependence on oil and the high cost of health care; the schools that aren't preparing our children and the mountain of debt they stand to inherit. That is our responsibility.

In the next few days, I will submit a budget to Congress. So often, we've come to view these documents as sim-

ply numbers on a page, or a laundry list of programs. I see this document differently. I see it as a vision for America—as a blueprint for our future.

My budget does not attempt to solve every problem or address every issue. It reflects the stark reality of what we've inherited—a trillion-dollar deficit, a financial crisis, and a costly recession.

Given these realities, everyone in this Chamber—Democrats and Republicans—will have to sacrifice some worthy priorities for which there are no dollars. And that includes me.

But that does not mean we can afford to ignore our long-term challenges. I reject the view that says our problems will simply take care of themselves; that says government has no role in laying the foundation for our common prosperity.

For history tells a different story. History reminds us that at every moment of economic upheaval and transformation, this nation has responded with bold action and big ideas. In the midst of civil war, we laid railroad tracks from one coast to another that spurred commerce and industry. From the turmoil of the Industrial Revolution came a system of public high schools that prepared our citizens for a new age. In the wake of war and depression, the GI Bill sent a generation to college and created the largest middle class in history. And a twilight struggle for freedom led to a nation of highways, an American on the Moon, and an explosion of technology that still shapes our world.

In each case, government didn't supplant private enterprise; it catalyzed private enterprise. It created the conditions for thousands of entrepreneurs and new businesses to adapt and to thrive.

We are a nation that has seen promise amid peril, and claimed opportunity from ordeal. Now we must be that nation again. That is why, even as it cuts back on the programs we don't need, the budget I submit will invest in the three areas that are absolutely critical to our economic future: energy, health care, and education.

It begins with energy. We know the country that harnesses the power of clean, renewable energy will lead the 21st century. And yet it is China that has launched the largest effort in history to make their economy energy efficient. We invented solar technology, but we've fallen behind countries like Germany and Japan in producing it. New plug-in hybrids roll off our assembly lines, but they will run on batteries made in Korea.

Well, I do not accept a future where the jobs and industries of tomorrow take root beyond our borders—and I know you don't either. It is time for America to lead again.

Thanks to our recovery plan, we will double this nation's supply of renewable energy in the next 3 years. We've also made the largest investment in basic research funding in American his-

tory—an investment that will spur not only new discoveries in energy, but breakthroughs in medicine, science, and technology.

We will soon lay down thousands of miles of power lines that can carry new energy to cities and towns across this country. And we will put Americans to work, making our homes and buildings more efficient so that we can save billions of dollars on our energy bills.

But to truly transform our economy, to protect our security, and save our planet from the ravages of climate change, we need to ultimately make clean, renewable energy the profitable kind of energy. So I ask this Congress to send me legislation that places a market-based cap on carbon pollution and drives the production of more renewable energy in America. That's what we need. And to support that innovation, we will invest \$15 billion a year to develop technologies like wind power and solar power; advanced biofuels, clean coal, and more fuel-efficient cars and trucks built right here in America.

Speaking of our auto industry, everyone recognizes that years of bad decision-making and a global recession have pushed our automakers to the brink. We should not, and will not, protect them from their own bad practices. But we are committed to the goal of a retooled, re-imagined auto industry that can compete and win. Millions of jobs depend on it. Scores of communities depend on it. And I believe the nation that invented the automobile cannot walk away from it.

None of this will come without cost, nor will it be easy. But this is America. We don't do what's easy. We do what's necessary to move this country forward.

And for that same reason, we must also address the crushing cost of health care.

This is a cost that now causes a bankruptcy in America every 30 seconds. By the end of the year, it could cause 1.5 million Americans to lose their homes. In the last 8 years, premiums have grown four times faster than wages. And in each of these years, 1 million more Americans have lost their health insurance. It is one of the major reasons why small businesses close their doors and corporations ship jobs overseas. And it is one of the largest and fastest growing parts of our budget.

Given these facts, we can no longer afford to put health care reform on hold. We can't afford to do it. It's time.

Already, we've done more to advance the cause of health care reform in the last 30 days than we've done in the last decade. When it was days old, this Congress passed a law to provide and protect health insurance for 11 million American children whose parents work full time. Our recovery plan will invest in electronic health records and new technology that will reduce errors, bring down costs, ensure privacy, and save lives. It will launch a new effort

to conquer a disease that has touched the life of nearly every American, including me, by seeking a cure for cancer in our time. And it makes the largest investment ever in preventive care, because that's one of the best ways to keep our people healthy and our costs under control.

This budget builds on these reforms. It includes an historic commitment to comprehensive health care reform—a down payment on the principle that we must have quality, affordable health care for every American. It's a commitment that's paid for in part by efficiencies in our system that are long overdue. And it's a step we must take if we hope to bring down our deficit in the years to come.

Now, there will be many different opinions and ideas about how to achieve reform, and that's why I'm bringing together businesses and workers, doctors and health care providers, Democrats and Republicans, to begin work on this issue next week.

I suffer no illusions that this will be an easy process. Once again, it will be hard. But I also know that nearly a century after Teddy Roosevelt first called for reform, the cost of our health care has weighed down our economy and the conscience of our nation long enough. So let there be no doubt: health care reform cannot wait, it must not wait, and it will not wait another year.

The third challenge we must address is the urgent need to expand the promise of education in America.

In a global economy where the most valuable skill you can sell is your knowledge, a good education is no longer just a pathway to opportunity—it is a prerequisite.

Right now, three-quarters of the fastest growing occupations require more than a high school diploma. And yet just over half of our citizens have that level of education. We have one of the highest high school dropout rates of any industrialized nation. And half of the students who begin college never finish.

This is a prescription for economic decline, because we know the countries that out-teach us today will out-compete us tomorrow. That is why it will be the goal of this administration to ensure that every child has access to a complete and competitive education—from the day they are born to the day they begin a career. That is a promise we have to make to the children of America.

Already, we've made an historic investment in education through the economic recovery plan. We have dramatically expanded early childhood education and will continue to improve its quality, because we know that the most formative learning comes in those first years of life. We've made college affordable for nearly 7 million more students—7 million. And we have provided the resources necessary to prevent painful cuts and teacher layoffs that would set back our children's progress.

But we know that our schools don't just need more resources. They need more reform. That is why this budget creates new incentives for teacher performance; pathways for advancement, and rewards for success. We'll invest in innovative programs that are already helping schools meet high standards and close achievement gaps. And we will expand our commitment to charter schools.

It is our responsibility as lawmakers and as educators to make this system work. But it is the responsibility of every citizen to participate in it. And so tonight, I ask every American to commit to at least one year or more of higher education or career training. This can be community college or a 4-year school; vocational training or an apprenticeship. But whatever the training may be, every American will need to get more than a high school diploma. And dropping out of high school is no longer an option. It's not just quitting on yourself, it's quitting on your country—and this country needs and values the talents of every American. That is why we will provide the support necessary for all young Americans to complete college and meet a new goal: by 2020, America will once again have the highest proportion of college graduates in the world. That is a goal we can meet.

I know that the price of tuition is higher than ever, which is why if you are willing to volunteer in your neighborhood or give back to your community or serve your country, we will make sure that you can afford a higher education. And to encourage a renewed spirit of national service for this and future generations, I ask Congress to send me the bipartisan legislation that bears the name of Senator ORRIN HATCH as well as an American who has never stopped asking what he can do for his country—Senator EDWARD KENNEDY.

These education policies will open the doors of opportunity for our children. But it is up to us to ensure they walk through them. In the end, there is no program or policy that can substitute for a parent, for a mother or father who will attend those parent-teacher conferences, or help with homework, or turn off the TV, put away the video games, and read to their child. I speak to you not just as a President but as a father when I say that responsibility for our children's education must begin at home. That is not a Democratic issue or a Republican issue. That's an American issue.

There is, of course, another responsibility we have to our children. And that's the responsibility to ensure that we do not pass on to them a debt they cannot pay. That is critical. With the deficit we inherited, the cost of the crisis we face, and the long-term challenges we must meet, it has never been more important to ensure that as our economy recovers, we do what it takes to bring this deficit down. That is critical.

I'm proud that we passed a recovery plan free of earmarks, and I want to pass a budget next year that ensures that each dollar we spend reflects only our most important national priorities.

Yesterday, I held a fiscal summit where I pledged to cut the deficit in half by the end of my first term in office. My administration has also begun to go line by line through the Federal budget in order to eliminate wasteful and ineffective programs. As you can imagine, this is a process that will take some time. But we have already identified \$2 trillion in savings over the next decade.

In this budget, we will end education programs that don't work and end direct payments to large agribusinesses that don't need them. We'll eliminate the no-bid contracts that have wasted billions in Iraq, and reform our defense budget so that we're not paying for Cold War-era weapons systems we don't use. We will root out the waste, fraud, and abuse in our Medicare program that doesn't make our seniors any healthier, and we will restore a sense of fairness and balance to our Tax Code by finally ending the tax breaks for corporations that ship our jobs overseas.

In order to save our children from a future of debt, we will also end the tax breaks for the wealthiest 2 percent of Americans. Let me be absolutely clear, because I know you'll end up hearing some of the same old claims that rolling back these tax breaks means a massive tax increase on the American people: if your family earns less than \$250,000 a year, a quarter of a million dollars a year, you will not see your taxes increased a single dime. I repeat: not one single dime. In fact, the recovery plan provides a tax cut—that's right, a tax cut—for 95 percent of working families. And, by the way, these checks are on the way.

To preserve our long-term fiscal health, we must also address the growing costs in Medicare and Social Security. Comprehensive health care reform is the best way to strengthen Medicare for years to come. And we must also begin a conversation on how to do the same for Social Security, while creating tax-free universal savings accounts for all Americans.

Finally, because we're also suffering from a deficit of trust, I am committed to restoring a sense of honesty and accountability to our budget. That is why this budget looks ahead 10 years and accounts for spending that was left out under the old rules—and for the first time that includes the full cost of fighting in Iraq and Afghanistan. For 7 years, we've been a nation at war. No longer will we hide its price.

Along with our outstanding national security team, I am now carefully reviewing our policies in both wars, and I will soon announce a way forward in Iraq that leaves Iraq to its people and responsibly ends this war.

And with our friends and allies, we will forge a new and comprehensive

strategy for Afghanistan and Pakistan to defeat al Qaeda and combat extremism. Because I will not allow terrorists to plot against the American people from safe havens halfway around the world. We will not allow it.

As we meet here tonight, our men and women in uniform stand watch abroad and more are readying to deploy. To each and every one of them, and to the families who bear the quiet burden of their absence, Americans are united in sending one message: we honor your service, we are inspired by your sacrifice, and you have our unyielding support. To relieve the strain on our forces, my budget increases the number of our soldiers and marines. And to keep our sacred trust with those who serve, we will raise their pay, and give our veterans the expanded health care and benefits that they have earned.

To overcome extremism, we must also be vigilant in upholding the values our troops defend—because there is no force in the world more powerful than the example of America. And that is why I have ordered the closing of the detention center at Guantanamo Bay, and will seek swift and certain justice for captured terrorists—because living our values doesn't make us weaker, it makes us safer and it makes us stronger. And that is why I can stand here tonight and say without exception or equivocation that the United States of America does not torture. We can make that commitment here tonight.

In words and deeds, we are showing the world that a new era of engagement has begun. For we know that America cannot meet the threats of this century alone, but the world cannot meet them without America. We cannot shun the negotiating table, nor ignore the foes or forces that could do us harm. We are instead called to move forward with the sense of confidence and candor that serious times demand.

To seek progress toward a secure and lasting peace between Israel and her neighbors, we have appointed an envoy to sustain our effort. To meet the challenges of the 21st century—from terrorism to nuclear proliferation; from pandemic disease to cyber threats to crushing poverty—we will strengthen old alliances, forge new ones, and use all elements of our national power.

And to respond to an economic crisis that is global in scope, we are working with the nations of the G-20 to restore confidence in our financial system, avoid the possibility of escalating protectionism, and spur demand for American goods in markets across the globe. For the world depends on us to have a strong economy, just as our economy depends on the strength of the world's.

As we stand at this crossroads of history, the eyes of all people in all nations are once again upon us—watching to see what we do with this moment; waiting for us to lead.

Those of us gathered here tonight have been called to govern in extraordinary times. It is a tremendous bur-

den, but also a great privilege—one that has been entrusted to few generations of Americans. For in our hands lies the ability to shape our world for good or for ill.

I know that it's easy to lose sight of this truth—to become cynical and doubtful; consumed with the petty and the trivial.

But in my life, I've also learned that hope is found in unlikely places; that inspiration often comes not from those with the most power or celebrity, but from the dreams and aspirations of ordinary Americans who are anything but ordinary.

I think of Leonard Abess, a bank president from Miami who reportedly cashed out of his company, took a \$60 million bonus, and gave it out to all 399 people who worked for him, plus another 72 who used to work for him. He didn't tell anyone, but when the local newspaper found out, he simply said, "I knew some of these people since I was 7 years old. I didn't feel right getting the money myself."

I think about Greensburg, Kansas, a town that was completely destroyed by a tornado, but is being rebuilt by its residents as a global example of how clean energy can power an entire community—how it can bring jobs and businesses to a place where piles of bricks and rubble once lay. "The tragedy was terrible," said one of the men who helped them rebuild. "But the folks here know that it also provided an incredible opportunity."

I think about Ty'Sheoma Bethea, the young girl from that school I visited in Dillon, South Carolina—a place where the ceilings leak; the paint peels off the walls, and they have to stop teaching six times a day because the train barrels by their classroom. She has been told that her school is hopeless, but the other day after class she went to the public library and typed up a letter to the people sitting in this Chamber. She even asked her principal for the money to buy a stamp. The letter asks us for help and says, "We are just students trying to become lawyers, doctors, congressmen like yourself and one day President, so we can make a change to not just the State of South Carolina but also the world. We are not quitters." That's what she said.

We are not quitters.

These words and these stories tell us something about the spirit of the people who sent us here. They tell us that even in the most trying times, amid the most difficult circumstances, there is a generosity, a resilience, a decency, and a determination that perseveres; a willingness to take responsibility for our future and for posterity.

Their resolve must be our inspiration. Their concerns must be our cause. And we must show them and all our people that we are equal to the task before us.

I know that we haven't agreed on every issue thus far, and there are surely times in the future when we will part ways. But I also know that every

American who is sitting here tonight loves this country and wants it to succeed. I know that. That must be the starting point for every debate we have in the coming months, and where we return after those debates are done. That is the foundation on which the American people expect us to build common ground.

And if we do—if we come together and lift this nation from the depths of this crisis; if we put our people back to work and restart the engine of our prosperity; if we confront without fear the challenges of our time and summon that enduring spirit of an America that does not quit, then someday years from now our children can tell their children that this was the time when we performed, in the words that are carved into this very Chamber, "something worthy to be remembered."

Thank you, God bless you, and may God bless the United States of America.

(Applause, the Members rising.)

At 10 o'clock and 15 minutes p.m., the President of the United States, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Majority Floor Services Chief escorted the invited guests from the Chamber in the following order:

The members of the President's Cabinet;

The Chief Justice of the United States and Associate Justices of the Supreme Court;

The Dean of the Diplomatic Corps.

#### JOINT SESSION DISSOLVED

The SPEAKER. The Chair declares the joint session of the two Houses now dissolved.

Accordingly, at 10 o'clock and 16 minutes p.m., the joint session of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

#### MESSAGE OF THE PRESIDENT REFERRED TO THE COMMITTEE OF THE WHOLE HOUSE ON THE STATE OF THE UNION

Mr. PASCRELL. Madam Speaker, I move that the message of the President be referred to the Committee of the Whole House on the state of the Union and ordered printed.

The motion was agreed to.

#### RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore (Mr. WEINER) laid before the House the following resignation from the House of Representatives:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, February 24, 2009.  
OFFICE OF THE SPEAKER,  
U.S. Capitol,  
Washington, DC.

DEAR MADAM SPEAKER: This letter is to inform you that I have sent a letter to California Governor Arnold Schwarzenegger informing him that I am resigning my position

as the United States Representative for the 32nd Congressional District of California effective Tuesday, February 24, 2009.

In December, I was nominated by President-elect Obama to serve as Secretary for the U.S. Department of Labor. I am truly honored that President-elect Obama has given me the opportunity to help America's working families and turn our economy around. It has been a privilege to serve the residents of California in the House of Representatives for the past eight years. I have served during one of the most challenging economic times in California's history, and have worked to help build a better future for our state and country.

I also want to thank you, Madam Speaker, all of my colleagues in the House, and in particular California's Congressional delegation. I have enjoyed working with them during my time in Congress. I am looking forward to continuing to work with you and my colleagues, in order to build a better country.

Sincerely,

HILDA L. SOLIS,  
Member of Congress.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, February 24, 2009.

Governor ARNOLD SCHWARZENEGGER,  
California State Capitol Building,  
Sacramento, CA.

DEAR GOVERNOR SCHWARZENEGGER: In December, I was nominated by President-elect Obama to serve as Secretary for the U.S. Department of Labor. I am hereby resigning my position as the United States Representative for the 32nd Congressional District of California effective Tuesday, February 24, 2009.

It has been a privilege to serve the residents of California in the House of Representatives for the past eight years. I have served during one of the most challenging economic times in California's history, and have worked to help build a better future for our state. I am truly honored that President-elect Obama has given me the opportunity to help lead our nation forward during these difficult times.

I also want to thank you and your administration, as well as my colleagues in California's Congressional delegation. I have enjoyed working with you and them during my time in Congress. I look forward to continuing this important work in order to build a better California.

Sincerely,

HILDA L. SOLIS,  
Member of Congress.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the resignation of the gentlewoman from California (Ms. SOLIS), the whole number of the House is 432.

#### ADJOURNMENT

Mr. RYAN of Ohio. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 20 minutes p.m.), the House adjourned until tomorrow, Wednesday, February 25, 2009, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

641. A letter from the Director, Legislative Affairs Division, Department of Agriculture, transmitting the Department's final rule — State Technical Committees (RIN: 0578-AA51) received February 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

642. A letter from the Director, Legislative Affairs Division, Department of Agriculture, transmitting the Department's final rule — Regional Equity (RIN: 0578-AA44) received February 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

643. A letter from the OSD Federal Register Liaison Officer, DoD, Department of Defense, transmitting the Department's final rule — Indebtedness of Military Personnel [DOD-2007-OS-0025] (RIN: 0790-A108) received February 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

644. A letter from the OSD Federal Register Liaison Officer, DoD, Department of Defense, transmitting the Department's final rule — Civilian Health and Medical Program of the Uniformed Service (CHAMPUS); Voluntary Disenrollment from the TRICARE Retiree Dental Program (TRDP) [DoD-2008-HA-0035] (RIN: 0720-AA69) received February 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

645. A letter from the Acting Assistant Secretary Legislative Affairs, Department of State, transmitting the 41st report prepared pursuant to Section 3204(f) of the Emergency Supplemental Act, 2000 (Div. B, P.L. 106-246), as amended; to the Committee on Armed Services.

646. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Public Housing Operating Fund Program; Increased Terms of Energy Performance Contracts [Docket Number: FR-5057-F-02] (RIN: 2577-AC66) received February 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

647. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Credit Union Service Organizations (RIN: 3133-AD20) received February 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

648. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Aggregation [EPA-HQ-OAR-2003-0064, FRL-8773-2] (RIN: 2060-AL75) received February 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

649. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Prevention of Significant Deterioration (PSD) and Nontainment New Source Review (NSR): Aggregation [EPA-HQ-OAR-2003-0064; FRL-8773-3] (RIN: 2060-AL75) received February 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

650. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Regulation of Fuels and Fuel Additives; Gasoline and Diesel Fuel Test

Methods [EPA-HQ-OAR-2008-0558; FRL-8771-6] (RIN: 2060-AP17) received February 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

651. A letter from the Chief, Policy and Rules Division, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Unlicensed Operation in the TV Broadcast Bands Additional Spectrum for Unlicensed Devices Below 900 MHz and in the 3 GHz Band [ET Docket Nos.: 04-186 and 02-380] received February 12, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

652. A letter from the Acting Assistant Secretary Legislative Affairs, Department of State, transmitting certification of a proposed technical assistance agreement for the export of technical data, defense services, and defense articles to the Cayman Islands and the United Arab Emirates (Transmittal No. DDTC 143-08), pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

653. A letter from the Acting Assistant Secretary Legislative Affairs, Department of State, transmitting notification of an authorization of Danger Pay to U.S. Government civilian employees for service in areas where civil insurrection, civil war, terrorism or wartime conditions threaten physical harm or imminent danger to the health or well-being of employees; to the Committee on Foreign Affairs.

654. A letter from the Secretary, Department of Education, transmitting the Department's report on competitive sourcing efforts for Fiscal Year 2008, pursuant to Public Law 108-199, section 647(b) of Division F; to the Committee on Oversight and Government Reform.

655. A letter from the Chairman of the Board, Pension Benefit Guaranty Corporation, Department of Labor, transmitting the Commission's Semiannual Report from the Office of the Inspector General and the Director's Semiannual Report on Management Decisions and Final Actions on Office of Inspector General Audit Recommendations, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

656. A letter from the Administrator, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

657. A letter from the Deputy General Counsel, Office of National Drug Control Policy, Executive Office of the President, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

658. A letter from the Secretary, Department of the Interior, transmitting notification of the Department's intent to accept a gift of land adjacent to wilderness areas for preservation as wilderness, pursuant to Section 6 of the Wilderness Act of 1964; to the Committee on Natural Resources.

659. A letter from the Secretary, Department of the Interior, transmitting the Department's first Report to Congress for the North Slope Science Initiative, pursuant to Public Law 109-58, section 348(e); to the Committee on Natural Resources.

660. A letter from the Acting Under Secretary of Commerce for Oceans and Atmosphere, National Oceanic and Atmospheric Administration, transmitting the Administration's 2007 Annual Report in accordance with the Northwest Atlantic Fisheries Convention Act; to the Committee on Natural Resources.

### 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. CONYERS: Committee on the Judiciary. H.R. 200. A bill to amend title 11 of the United States Code with respect to modification of certain mortgages on principal residences, and for other purposes; with an amendment (Rept. 111-19). Referred to the Committee of the Whole House on the State of the Union.

Mr. MCGOVERN: Committee on Rules. House Resolution 184. A resolution providing for consideration of the bill (H.R. 1105) making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes (Rept. 111-20). 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 Ms. ESHOO:

H.R. 1142. A bill to amend title XIX of the Social Security Act to require States to provide hair prostheses under the Medicaid Program for individuals diagnosed with alopecia areata; to the Committee on Energy and Commerce.

By Mr. POE of Texas:

H.R. 1143. A bill to achieve greater national energy independence by limiting presidential withdrawals of offshore lands from disposition for exploration, development, or production of oil and gas, to authorize States to petition for authorization to conduct offshore oil and natural gas exploration and extraction in any area that is within 50 miles of the coastline of the State and within the seaward lateral boundaries of the State extended, to share offshore oil and gas revenues with States, and for other purposes; to the Committee on Natural Resources.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Ms. EDWARDS of Maryland, Mr. REYES, Mrs. DAHLKEMPER, Mr. MILLER of North Carolina, Mr. CARSON of Indiana, Mr. WILSON of Ohio, and Mr. GRAYSON):

H.R. 1144. A bill to increase awareness of the existence of and to overcome gender bias in academic science and engineering through research and training, and for other purposes; to the Committee on Science and Technology.

By Mr. GORDON of Tennessee:

H.R. 1145. A bill to implement a National Water Research and Development Initiative, and for other purposes; to the Committee on Science and Technology.

By Mr. PAUL:

H.R. 1146. A bill to end membership of the United States in the United Nations; to the Committee on Foreign Affairs.

By Mr. DOYLE (for himself, Mr. TERRY, Ms. ESHOO, Ms. ZOE LOFGREN of California, Mr. WILSON of South Carolina, Ms. KILPATRICK of Michigan, Mr. HASTINGS of Florida, Ms. MOORE of Wisconsin, Mr. PAUL, Mr. BRADY of Pennsylvania, Mr. TIM MURPHY of Pennsylvania, Ms. SCHWARTZ, Mr. PAYNE, Mr. HINOJOSA, Mr. JOHNSON of Illinois, Mr. DELAHUNT, Mr. CAPUANO, Mrs. MCMORRIS RODGERS, Mrs. BLACKBURN, and Ms. BALDWIN):

H.R. 1147. A bill to implement the recommendations of the Federal Communica-

tions Commission report to the Congress regarding low-power FM service; to the Committee on Energy and Commerce.

By Mr. BILIRAKIS (for himself, Mr. BILBRAY, Mr. ROONEY, and Mr. BRADY of Pennsylvania):

H.R. 1148. A bill to require the Secretary of Homeland Security to conduct a program in the maritime environment for the mobile biometric identification of suspected individuals, including terrorists, to enhance border security; to the Committee on Homeland Security.

By Ms. GINNY BROWN-WAITE of Florida (for herself, Mr. BILBRAY, Ms. ROS-LEHTINEN, and Mr. BOOZMAN):

H.R. 1149. A bill to reauthorize the Adam Walsh Child Protection and Safety Act of 2006, and for other purposes; to the Committee on the Judiciary.

By Mr. CARNEY (for himself, Ms. SCHWARTZ, Mr. BRADY of Pennsylvania, Ms. MARKEY of Colorado, Mr. DOYLE, Mr. BACHUS, Mr. ALTMIRE, Mr. PAYNE, and Mr. HOLDEN):

H.R. 1150. A bill to authorize the Secretary of Homeland Security to award grants on a competitive basis to regional biocontainment laboratories for maintaining surge capacity that can be used to respond to acts of bioterrorism or outbreaks of infectious diseases, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself, Mr. SERRANO, Mr. GRIJALVA, Ms. NORTON, Mr. MCGOVERN, Mr. MARKEY of Massachusetts, and Mr. FATTAH):

H.R. 1151. A bill to amend the National and Community Service Act of 1990 to establish Encore Service Programs, Encore Fellowship Programs, and Silver Scholarship Programs, and for other purposes; to the Committee on Education and Labor.

By Ms. DELAURO (for herself, Mr. SERRANO, Mr. GRIJALVA, Ms. NORTON, Mr. MCGOVERN, Mr. MARKEY of Massachusetts, and Mr. FATTAH):

H.R. 1152. A bill to amend the National and Community Service Act of 1990 to establish a Semester of Service grant program, and for other purposes; to the Committee on Education and Labor.

By Ms. DELAURO (for herself, Mr. MCDERMOTT, Ms. MATSUI, Mr. BLUMENAUER, Mr. SERRANO, Mr. GRIJALVA, Mr. MCGOVERN, Ms. NORTON, Mr. LARSON of Connecticut, Mr. MARKEY of Massachusetts, and Mr. FATTAH):

H.R. 1153. A bill to amend the National and Community Service Act of 1990 to establish a Summer of Service State grant program, a Summer of Service national direct grant program, and related national activities, and for other purposes; to the Committee on Education and Labor.

By Ms. DELAURO (for herself, Mr. SERRANO, Mr. GRIJALVA, Mr. BLUMENAUER, Ms. NORTON, Mr. MCGOVERN, Mr. MARKEY of Massachusetts, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. FATTAH):

H.R. 1154. A bill to amend the National and Community Service Act of 1990 to improve the educational awards provided for national service, and for other purposes; to the Committee on Education and Labor, and in addition to the Committees on Oversight and Government Reform, 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 Ms. ESHOO:

H.R. 1155. A bill to mandate satellite carriage of qualified noncommercial educational television stations; to the Committee on Energy and Commerce.

By Mr. HELLER:

H.R. 1156. A bill to amend the Elementary and Secondary Education Act of 1965 to require local educational agencies to provide to parents, on request, information regarding the professional qualifications of their child's pupil services instructors; to the Committee on Education and Labor.

By Ms. HERSETH SANDLIN:

H.R. 1157. A bill to amend title 5, United States Code, to establish certain protections for preference eligibles selected for involuntary geographic reassignment; to the Committee on Oversight and Government Reform.

By Mr. HIGGINS (for himself, Mr. NUNES, Mr. KAGEN, Ms. KAPTUR, Mr. ROSKAM, Mr. KIND, Mr. GENE GREEN of Texas, Mr. TERRY, Mr. BOCCIERI, Mr. MCGOVERN, and Mr. DAVIS of Alabama):

H.R. 1158. A bill to promote biogas production, and for other purposes; to the Committee on Ways and Means.

By Mr. MEEK of Florida:

H.R. 1159. A bill to amend the Internal Revenue Code of 1986 to provide special rules for investments lost in a fraudulent Ponzi-type scheme; to the Committee on Ways and Means.

By Mr. MEEKS of New York:

H.R. 1160. A bill to direct the Securities and Exchange Commission to revise rules to provide for the comparable treatment and expanded use of qualified money market funds for broker-dealer financing; to the Committee on Financial Services.

By Mr. PRICE of North Carolina (for himself, Ms. CORRINE BROWN of Florida, Mr. WATT, Mr. GORDON of Tennessee, Mr. MCINTYRE, Mr. HONDA, Mr. LEWIS of Georgia, Ms. BORDALLO, Mr. WALZ, Mr. CLAY, Mr. ETHERIDGE, Mr. MILLER of North Carolina, Mr. HASTINGS of Florida, Mr. KISSELL, Mr. BUTTERFIELD, Mr. SHULER, Mr. COHEN, Mr. DONNELLY of Indiana, Mr. MORAN of Virginia, Mr. MEEKS of New York, and Ms. HIRONO):

H.R. 1161. A bill to amend the Elementary and Secondary Education Act of 1965 to provide grants for innovative teacher retention programs; to the Committee on Education and Labor.

By Mr. PUTNAM (for himself and Mrs. MYRICK):

H.R. 1162. A bill to amend the Immigration and Nationality Act to permit certain E-2 nonimmigrant investors to adjust status to lawful permanent resident status; to the Committee on the Judiciary.

By Mr. TERRY (for himself, Mr. KING of Iowa, Mr. FORTENBERRY, and Mr. SMITH of Nebraska):

H.R. 1163. A bill to direct the Secretary of Veterans Affairs to establish a national cemetery in the Sarpy County region to serve veterans in eastern Nebraska, western Iowa, and northwest Missouri; to the Committee on Veterans' Affairs, 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. VAN HOLLEN:

H.R. 1164. A bill to amend title 5, United States Code, to exempt certain repayments under the Civil Service Retirement System from the requirement that they be made

with interest; to the Committee on Oversight and Government Reform, and in addition to the Committee on House Administration, 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. LANGEVIN:

H. Con. Res. 58. Concurrent resolution expressing the sense of Congress that any effort to reengineer the health care system in the United States should incorporate sustainable wellness programs that address the underlying causal factors associated with chronic disease; to the Committee on Energy and Commerce.

By Mr. TERRY:

H. Con. Res. 59. Concurrent resolution supporting the goals and ideals of senior caregiving and affordability; to the Committee on Education and Labor.

By Mr. CASTLE:

H. Res. 185. A resolution supporting the goals and ideals of Black History Month and honoring the outstanding contributions of African-American Medal of Honor recipients; to the Committee on Armed Services.

By Ms. KAPTUR:

H. Res. 186. A resolution expressing the sense of the House of Representatives that the States should enact a temporary moratorium on residential mortgage foreclosures; to the Committee on Financial Services.

By Mr. TERRY:

H. Res. 187. A resolution expressing support for the designation of May 7 as National Information and Referral Services Day; to the Committee on Energy and Commerce.

#### ADDITIONAL SPONSORS

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

H.R. 17: Mr. HALL of Texas and Mr. BUCHANAN.

H.R. 22: Ms. ROYBAL-ALLARD, Mr. YOUNG of Florida, Mr. OBERSTAR, Mrs. HALVORSON, Mr. MURTHA, Mr. BRALEY of Iowa, Mr. FILNER, Ms. PINGREE of Maine, and Mr. UPTON.

H.R. 25: Mr. BROUN of Georgia and Ms. JENKINS.

H.R. 31: Mr. ACKERMAN.

H.R. 43: Mr. PAUL, Mr. KILDEE, Mr. ABERCROMBIE, Mr. MORAN of Kansas, Mr. SOUDER, Mr. GUTHRIE, Ms. KAPTUR, Mr. MILLER of North Carolina, Mr. ROTHMAN of New Jersey, Mr. PRICE of North Carolina, Mr. TANNER, Mr. GALLEGLY, Mr. SARBANES, Mr. ELLSWORTH, Mr. MARSHALL, Mr. YARMUTH, Mr. WOLF, Mr. PASCRELL, Mr. HIGGINS, Ms. BERKLEY, Mr. BROWN of South Carolina, Mr. GARY G. MILLER of California, Mr. GENE GREEN of Texas, Mr. LEWIS of Georgia, Mr. CHANDLER, Mr. WAMP, Mr. LOBIONDO, Mr. WILSON of South Carolina, Ms. MCCOLLUM, Mr. GRIJALVA, Mr. MCHUGH, and Mr. HOLT.

H.R. 49: Mr. TAYLOR, Mr. HERGER, Mr. CHAFFETZ, Mr. BOOZMAN, Mr. MCHUGH, Mr. GOODLATTE, Mrs. McMORRIS RODGERS, Mrs. BACHMANN, Mr. PLATTS, and Mr. TERRY.

H.R. 101: Mr. MITCHELL.

H.R. 111: Mrs. McMORRIS RODGERS, Mr. NUNES, Mr. WILSON of South Carolina, and Mrs. HALVORSON.

H.R. 122: Mrs. McMORRIS RODGERS.

H.R. 154: Mr. MICHAUD.

H.R. 156: Mrs. BACHMANN and Mr. MCINTYRE.

H.R. 211: Mr. McDERMOTT, Ms. SLAUGHTER, Mr. FILNER, Mr. SARBANES, Mr. CARSON of Indiana, Mrs. LOWEY, Mr. TIBERI, Mr. WU, Mr. KAGEN, Mr. BILIRAKIS, Mr. GEORGE MILLER of California, Mr. DINGELL, Mr. SESTAK, Mr. McNERNEY, and Mr. CHANDLER.

H.R. 235: Mr. ANDREWS, Mr. TURNER, Mr. COHEN, Mr. HIGGINS, Mr. SIMPSON, Mr. NEAL of Massachusetts, Mrs. MCCARTHY of New York, Mr. MARKEY of Massachusetts, Mr. ABERCROMBIE, Mr. WITTMAN, Mrs. HALVORSON, and Mrs. MALONEY.

H.R. 293: Mr. TIM MURPHY of Pennsylvania.

H.R. 294: Mr. TIM MURPHY of Pennsylvania.

H.R. 370: Mr. MCGOVERN and Mr. CAO.

H.R. 398: Mr. MILLER of North Carolina, Ms. DEGETTE, Mr. KUCINICH, and Ms. SLAUGHTER.

H.R. 406: Mr. GOODLATTE, Ms. LORETTA SANCHEZ of California, Mr. ACKERMAN, Ms. KAPTUR, Mr. HOEKSTRA, Mr. ELLISON, Ms. MARKEY of Colorado, Mr. SESTAK, and Ms. CLARKE.

H.R. 557: Mr. ROGERS of Kentucky, Mr. ALEXANDER, Mrs. LUMMIS, Ms. FOX, Mrs. MILLER of Michigan, Mr. TIAHRT, Mr. FLEMING, Mr. SENSENBRENNER, and Mr. MCHUGH.

H.R. 560: Ms. JENKINS.

H.R. 610: Mr. COSTA and Ms. SLAUGHTER.

H.R. 620: Mr. WELCH.

H.R. 626: Mr. CONNOLLY of Virginia, Mr. ROTHMAN of New Jersey, and Mr. GONZALEZ.

H.R. 630: Mrs. MILLER of Michigan.

H.R. 662: Mr. PLATTS and Mr. TEAGUE.

H.R. 697: Mr. PRICE of North Carolina and Mr. ISRAEL.

H.R. 704: Mr. ROGERS of Kentucky and Mr. DAVIS of Kentucky.

H.R. 745: Mr. SESTAK, Ms. NORTON, Mr. WEINER, Mr. RANGEL, and Mr. LANCE.

H.R. 753: Mr. WEINER, Mr. ENGEL, Ms. DELAURO, Mr. HARE, Mr. CARNAHAN, Ms. BORDALLO, Mr. RUPPERSBERGER, Ms. LEE of California, Mr. NADLER of New York, and Mr. HINCHEY.

H.R. 756: Mr. GORDON of Tennessee and Mr. MCCOTTER.

H.R. 759: Mr. PETERS.

H.R. 764: Mr. MCHENRY, Mr. ALEXANDER, Mr. BARTLETT, and Mr. POE of Texas.

H.R. 866: Mr. KLINE of Minnesota.

H.R. 868: Mr. MCHUGH.

H.R. 904: Mr. GRIJALVA.

H.R. 930: Ms. LEE of California and Mrs. MALONEY.

H.R. 933: Mr. McCLINTOCK.

H.R. 948: Ms. LINDA T. SANCHEZ of California, Mr. SIRES, Ms. HERSETH SANDLIN, Ms. KAPTUR, Mr. PATRICK J. MURPHY of Pennsylvania, and Mr. REYES.

H.R. 978: Mrs. McMORRIS RODGERS, Mr. JONES, and Mr. PRICE of North Carolina.

H.R. 986: Mr. FARR and Mr. SKELTON.

H.R. 994: Mr. HELLER and Mr. PLATTS.

H.R. 997: Mr. CHAFFETZ, Mr. MANZULLO, Mr. HELLER, Mr. GINGREY of Georgia, and Mr. BUCHANAN.

H.R. 1032: Mrs. MYRICK, Mrs. McMORRIS RODGERS, Mr. KENNEDY, Mr. WEINER, Mr. ALEXANDER, and Mr. FILNER.

H.R. 1033: Mr. RANGEL.

H.R. 1039: Mr. HELLER.

H.R. 1078: Mr. SESTAK and Mr. RUPPERSBERGER.

H.R. 1084: Mr. ROTHMAN of New Jersey, Mr. MORAN of Virginia, and Mr. GORDON of Tennessee.

H.R. 1086: Mr. GALLEGLY.

H.R. 1101: Mr. FRANK of Massachusetts.

H.R. 1106: Mr. BACA, Mrs. CAPP, Mr. TURNER, and Mr. SCOTT of Virginia.

H.R. 1135: Mr. MICA and Mr. DUNCAN.

H.J. Res. 18: Mr. LEVIN, Mr. MILLER of North Carolina, Ms. ZOE LOFGREN of California, Mr. POLIS of Colorado, Mr. CUMMINGS, Mr. MOORE of Kansas, Mr. KENNEDY, Mr. WEINER, Mr. RUPPERSBERGER, Mr. BRALEY of Iowa, Mr. MICHAUD, Mr. SESTAK and Mr. PAYNE.

H. Con. Res. 14: Mr. YOUNG of Florida, Mr. ALEXANDER, Ms. DEGETTE, Mr. BARROW, Mr. GEORGE MILLER of California, Mrs. McMORRIS RODGERS, Mr. GORDON of Tennessee, Ms. WATSON, Mr. SESTAK, Mr. DOYLE, Mr. MCCOTTER, Ms. MATSUI, Mrs. CAPP, Mrs. CHRISTENSEN, Mr. WHITFIELD, Mr. VAN HOLLEN, Mr. MAFFEI, Mr. MARKEY of Massachusetts, Mr. SPRATT, Mr. RUSH, Mr. CARSON of Indiana, Ms. BALDWIN, Mr. GUTIERREZ, Mr. ENGEL, Ms. SCHAKOWSKY, Mr. HOLDEN, and Mr. KUCINICH.

H. Con. Res. 18: Mr. GARRETT of New Jersey.

H. Con. Res. 40: Mrs. MILLER of Michigan, Mr. EHLERS, Mr. PAYNE, Mr. GORDON of Tennessee, and Mr. WILSON of Ohio.

H. Res. 18: Ms. FUDGE.

H. Res. 83: Mr. ACKERMAN and Mr. GOODLATTE.

H. Res. 111: Mr. ELLISON, Mr. HOLT, Mr. PAULSEN, Mr. MITCHELL, Mr. MURTHA, Mrs. CAPP, Mr. CARDOZA, Mrs. TAUSCHER, Mr. ROSS, and Mr. BISHOP of New York.

H. Res. 125: Mr. WAMP, Mr. GALLEGLY, Mr. ROYCE, and Mr. ROSKAM.

H. Res. 151: Mr. PAUL, Mr. KING of New York, and Mr. PRICE of Georgia.

H. Res. 160: Ms. ESHOO.

H. Res. 178: Mrs. MILLER of Michigan, Mr. EHLERS, Mr. PAYNE, Mr. GORDON of Tennessee, Mr. WILSON of Ohio, Mr. MORAN of Virginia, Mr. PALLONE, and Mr. LEVIN.

H. Res. 179: Ms. SPEIER.

H. Res. 182: Mr. HINCHEY.

#### 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. BARNEY FRANK OF MASSACHUSETTS

The provisions that warranted a referral to the Committee on Financial Services in H.R. 1106, the Helping Families Save Their Homes Act of 2009, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 111<sup>th</sup> CONGRESS, FIRST SESSION

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No. 32

## Senate

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

### PRAYER

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

Let us pray.

Almighty God, our Heavenly Father, we lift our hearts to You, invoking Your blessings upon this day. Lord, You have made us one in our need of You, one in our yearning for strength beyond the self, and one in our quest for Your peace. Cleanse our hearts and open our minds that Your truth may enter our lives. Today, give our lawmakers the strength to do Your will. Help them to serve one another so that they may reflect Your spirit and goodness. Make them so aware of Your presence that they will learn Your wisdom.

We pray in Your loving Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U. S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, February 24, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

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

### SCHEDULE

Mr. REID. Madam President, today following leader remarks, the Senate will resume consideration of the motion to proceed to S. 160, the DC Voting Rights legislation, with the time divided until 11 a.m. between the two leaders or their designees. The designation we have is, of course, Senator LIEBERMAN, the chairman of the committee. At 11 a.m. the Senate will proceed to a cloture vote on the motion to proceed to the bill.

The Senate will recess from 12:30 to 2:15 to allow for the weekly caucus luncheons. We will likely not have a vote on the nomination of SOLIS, a cloture vote. It is my understanding that Republicans have almost cleared it. They have one more Senator to hear from to set this up. So there will be a vote at 4:30 from the time after the caucus. We are waiting for a phone call. Staff is waiting for a phone call. So what we would do if, in fact, that is granted, we would work until 4:30 p.m. today on the Solis nomination. People can come and talk on that however they feel. At 4:30 we would have a vote on her confirmation.

Now, that vote will be completed shortly before 5 o'clock. Chairman LIEBERMAN will be the person who will be managing this bill. If people want to amend this, they have that right to do that. I have spoken at some length to the Republican leader. We have to get off this legislation as soon as we can, because a week from this Friday, March 6, the funding for the Govern-

ment runs out. So we have to pass the bill that will be coming from the House today, or at the latest tomorrow. We have to get that passed.

We have scheduled a "no-vote day" next Friday. We would like to keep that. If, however, we see that this appropriations bill is running into trouble, we are going to have to cancel that because we have to continue working on the legislation until we complete it. But there should be no problem in that regard.

I understand people want to offer amendments. That is fine. Let them offer amendments. But this bill has been around for a long time. It is now on the Web—people can look at it—as of last night. It has been around for a long time. We have had Republican input, both in the House and in the Senate. It has been scrubbed very closely. So I hope everyone would look at the legislation, determine what amendments they want to offer and recognize the deadline we have next Friday.

### THE ECONOMY

Members of Congress and all Americans look forward to hearing from President Obama tonight in his first address in the House Chamber. After we passed as a Congress, and he signed, the economic recovery plan into law, the President can confidently tell the American people that we have begun filling with dirt the deep economic ditch he inherited. That is especially so with the announcement he made in Mesa, AZ last Wednesday about the housing crisis.

Throughout his campaign, and now the first weeks of his Presidency, President Obama has told it to us very straight. He has not sugar-coated anything. He has not sugar-coated the challenges we face or tried to paint a rosy picture of a rapid recovery.

He will surely call upon us to lend a hand, to put politics aside and continue working together, not as two parties but as one Congress for one country. In

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



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S2389

the early days of the 111th Congress, we have done that.

With the good-will and earnest hard work of Democrats and Republicans alike, we passed a historic wilderness bill, a lands bill that has been called the most significant environmental legislation in a quarter of a century.

We passed the Lilly Ledbetter Fair Pay Act to help employees fight cases of wage discrimination and ensure the principle of equal pay for equal work.

We passed the lands bill on a bipartisan basis. We passed the Lilly Ledbetter Fair Pay Act on a bipartisan basis. We passed a new Children's Health Insurance Program to provide health coverage to millions of low-income families, children of those families. We did that on a bipartisan basis. We passed President Obama's economic recovery plan on a bipartisan basis, a plan to begin creating jobs, investing in our workforce, and providing tax relief to working families.

As I have traveled around the country these last 10 days or so, people said: Well, that was not bipartisan. It was. We had Governors from Florida to California, Republican Governors and Governors in between, being cheerleaders for this legislation. The day before the legislation passed in Florida, conservative Republican Governor Crist introduced President Obama, telling the people of Florida that this legislation was a must-pass for that State.

People said: Well, what happened in the Senate? We got one more Republican vote than we needed. We had Republican input. It was a bipartisan bill. We may not have had a lot of Republican Senators voting for this legislation, but there was Republican input. Senator VOINOVICH from Ohio was involved in this legislation to the last hour that we worked on this. He asked for certain things in this legislation and, frankly, he got them. It was a bipartisan group of Senators, led by, on our side, Senators NELSON and LIEBERMAN, on the Republican side by Senators SNOWE, COLLINS, and SPECTER. So it was bipartisan.

I appreciate the work we have been able to accomplish in this Senate up to this time. We are moving America forward. We are in the early rounds of this fight we have. Without further steps, our economic crisis will grow worse, not better. But there are going to be further steps.

I heard on the radio this morning a tremendous interview about a person who was selling cars. He said, there is no question about it, that the stimulus is going to help him sell cars. I believe that is the case, that all through our economy, we are going to see improvement.

That is why all of us—I repeat, Democrats and Republicans, Members of Congress—all Americans need to pick up that shovel and keep filling our economic ditch with dirt, so we can climb out of it. We and the Obama administration, we as Congress, and our White House, will help millions of

American families keep their homes, stem the tide of falling home values for the tens of millions of families who have done nothing wrong yet continue to see their home equity disappear.

We will implement banking reform to begin to unfreeze wheels of credit once again so that families can buy cars, send their children to college, and businesses can manage inventory and hire new workers, all while implementing new oversight, protecting the American people from any future banking crisis.

We will pass a budget, and we will do it soon, that reflects the priorities of America's working families and safeguards every dollar of taxpayer funds. Throughout this recession, American people have been bombarded with bad news, but they remain patient for the tough choices and hard days still to come, and feel good about the progress that has been made.

The people of my State, Nevada, a State hit harder than most any other, understand this turnaround will not happen tomorrow or the next day, but they expect that Congress will put progress over politics in every decision we make.

Yesterday, President Obama said it all when he said: It is the obligation of the majority party to be inclusive. And he is right about that. But he also said: It is the obligation of the minority party to be constructive. Inclusive and constructive, if we keep those words in mind, these critical next weeks of legislating will provide us with an opportunity to again fill this economic ditch that has been dug these last many years and begin building the mountains once again to get us out of there.

#### RECOGNITION OF THE REPUBLICAN LEADER

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

#### WELCOME BACK

Mr. McCONNELL. I wanted to briefly welcome everyone back from the Lincoln recess. People had a constructive period of time to interact with their constituents or to do other important business.

Listening carefully to what the majority leader had to say in terms of the way forward, I will be happy to continue to work with him to move us in the direction he wishes to take us in terms of the scheduling of the Senate over the next week or 10 days.

Madam President, we are now cleared to do the consent agreement.

Mr. REID. I appreciate that very much.

#### ORDER OF PROCEDURE

Mr. McCONNELL. Madam President, I ask unanimous consent that the cloture motion with respect to the Solis nomination be withdrawn.

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

Mr. McCONNELL. I now ask unanimous consent that upon the conclusion of the cloture vote with respect to the motion to proceed to S. 160, the Senate proceed to executive session as previously provided under a previous order and the Senate then debate the nomination of HILDA SOLIS to be the Secretary of Labor until 4:30 today, with the time equally divided and controlled between the leaders or their designees, and that Senator MURRAY be in control of the majority time; further, that at 4:30 p.m. today, the Senate proceed to vote on the confirmation of the nomination; that upon confirmation, the motion to reconsider be laid upon the table, no further motions be in order, the President be immediately notified of the Senate's action, and the Senate resume legislative session.

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

#### RESERVATION OF LEADER TIME

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

#### DISTRICT OF COLUMBIA HOUSE VOTING RIGHTS ACT OF 2009— MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 160, which the clerk will report by title.

The legislative clerk read as follows:

A motion to proceed to the bill (S. 160) to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 11 a.m. will be equally divided and controlled between the two leaders or their designees.

The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I would first ask unanimous consent, since the leaders have consumed—quite eloquently, I might add—15 minutes, that the hour run from this minute until 11:15 so that both sides have the full hour and that the cloture vote on S. 160 occur at 11:15 a.m.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The majority leader is recognized.

Mr. REID. Madam President, I overlooked a very important part of today. It is my understanding it is the birthday of the manager of this legislation. So all of us in the Senate wish the great Senator from the State of Connecticut happy birthday.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Well, the Senator from the State of Connecticut has

reached an age where he has mixed feelings when people acknowledge his birthday. But I thank the Senator.

Mr. REID. As President Reagan said, the alternative, though—

Mr. LIEBERMAN. The alternative is not good. And I praise the Lord for every day. So I say thank you to Senator REID for his kind words.

Madam President, I rise today, and I am proud to do so along with my friend and colleague, Senator HATCH of Utah, to urge all Senators to vote yes on the motion to proceed to this important legislation, the District of Columbia House Voting Rights Act of 2009. This measure will give the citizens of our Nation's Capital full voting rights in the House of Representatives while effectively adding a fourth congressional seat for the State of Utah.

In 2007, this bill passed overwhelmingly in the House by a vote of 241 to 177 but fell 3 votes short of gaining cloture in the Senate. That failure to proceed here in the Senate, 2 years ago now, left the citizens of the District with the wholly unsought after distinction of being the only residents of a democratically ruled national capital in the world who have no say in how their nation is governed. It is really astounding. It is time to right this injustice, just as this Congress has historically righted so many other voting injustices that stretch back to the very founding of our Nation.

I again thank my friend, Senator ORRIN HATCH, for his principled and steadfast support of this bill. I believe his commitment to join in this historic change puts him up there with other great Republican Senators in recent history, such as Everett Dirksen, who worked with Lyndon Johnson to pass the Voting Rights Act of 1964.

I also thank my colleagues, Senators CARPER, DODD, DURBIN, FEINGOLD, KENNEDY, KERRY, LANDRIEU, LAUTENBERG, LEAHY, LEVIN, McCASKILL, MIKULSKI, SANDERS, and VOINOVICH, for joining as cosponsors. And, of course, I thank our leader, Senator REID, for bringing this bill to the floor so swiftly in this 111th session. In the Senate, as we all know, one of the greatest gifts you can get is floor time, and the priority Senator REID has placed on this measure speaks volumes of his commitments to fairness, justice, and, in this case, I think civil rights.

Great thanks are due to District Delegate ELEANOR HOLMES NORTON, who has been a tireless champion of full representation for the citizens of the District. In her 10 terms in Congress, ELEANOR HOLMES NORTON has valiantly represented the citizens of the District despite the fact—and I say valiantly and effectively represented the citizens of the District—despite the fact that she has no vote on the House floor.

Madam President, before I go on with the substance of the argument, I would like to ask that you let me know when I have consumed 14 minutes of my time so I can wind it up.

The ACTING PRESIDENT pro tempore. The Chair will so advise.

Mr. LIEBERMAN. I thank the Chair.

I wish to begin by taking my colleagues way back to November 22, 1800. Why that day? Because that was the day that could be considered the official dedication of Washington, DC, as our Nation's Capital: November 22, 1800. On that day, President John Adams, who had only recently moved into the still-unfinished Executive Mansion—it was not known as the White House back then—gave his State of the Union Address to the opening of the second session of the Sixth Congress, which was also moving into its offices in the unfinished Capitol Building.

It is a sweet historical coincidence that today we begin discussion of this bill and tonight President Obama addresses the 111th session of Congress.

President Adams opened his statement with a prayer that this new city “be the residence of virtue and happiness [and] be forever held in veneration!” That prayer has only, let's say, imperfectly been realized, but we aspire to it nonetheless.

Adams then called on Congress to be wise stewards of this new city of then roughly 8,000 people.

He said:

You will consider it as the capital of a great nation advancing with unexampled rapidity in arts, in commerce, in wealth, and in population, and possessing within itself those energies and resources which, if not thrown away or lamentably misdirected, will secure to it a long course of prosperity and self-government.

Beautiful words.

The District did, of course, grow into a robust and thriving capital. Today, with nearly 600,000 residents, the District has a population roughly equal to or, in fact, greater than the States of Alaska, North Dakota, Vermont, and Wyoming. But, sadly, its residents have not been allowed to be full participants in our democracy, have not been allowed to have voting representation in the Congress of the United States.

I want to speak for a moment about some of the fundamental injustices that result from that fact. The people of the District, of course, have been a direct target of a terrorist attack, but they have no vote on how the Federal Government provides for their homeland security.

Men and women of the District have fought bravely in all our wars—well, at least going back to the War of 1812—many, many giving their lives in defense of our country and its freedom. Yet they have no vote on the serious questions of war and peace, of funding conflicts, of supporting veterans when they return home.

The courts have found that Congress has the authority to tax the citizens and businesses of the District. And do they pay taxes? In 2007, residents and businesses of the District paid over \$20 billion in Federal taxes, which is more than 19 States, and at the second highest per capita rate of Federal taxation

in the Nation. This should be embarrassing; that is, the fact that they still do not have voting representation here should be embarrassing to a nation whose Founders rallied around the Revolutionary slogan: Taxation without representation is tyranny. The District is the only jurisdiction in the country that must seek congressional approval, through the appropriations process, before spending locally generated tax dollars. Yet DC has no vote in the appropriations process.

Finally, if any American living in the 50 States—outside of the District of Columbia, I mean to say—were to move abroad, they would continue to be entitled to full voting representation in Congress—voting by absentee in their last State of residence—regardless of how long they remain out of the country. The only way they can lose that full voting representation here in Congress is if they were either to renounce their citizenship or return to the United States and live in Washington, DC. Now, that just does not make sense.

I am pleased to say that as I hear the arguments of the opponents of this bill, they seem to recognize and concur on the fundamental justice of our cause. Their primary argument against the bill is the question of constitutionality. Opponents cite article I, section 2, of the Constitution, which states that the House “shall be composed of members chosen . . . by the people of the several states.” But I would urge my colleagues to read on because in article I, section 8, the Framers gave Congress authority to “exercise exclusive legislation in all cases whatsoever” regarding the District. This so-called District clause grants Congress particularly sweeping powers with regard to legislation for the District of Columbia. In fact, our courts have upheld Congress's right to treat the District as a “State” for purposes of Federal taxation, Federal court jurisdiction, the right to a jury trial, and interstate commerce, among others.

A broad range of constitutional experts, including very respected conservative constitutional experts such as Judge Ken Starr and former Assistant Attorney General Viet Dinh tell us that Congress's power to provide voting rights to the District lies within this District clause. If Congress has this power, there is no excuse for not deploying it to end the injustice facing the District's many residents with respect to voting representation in Congress.

Madam President, let me give a little more history. There are some question marks lurking in the history of voting rights in the Federal District. In the first 11 years after Maryland and Virginia ceded land for the Capital in 1788 and 1789, respectively, residents of that ceded territory continued to vote in either Maryland or Virginia. They retained this right to vote through congressional legislation. But when the

District was formally established in 1800, Congress was silent on the voting rights for citizens of our Capital City. Frankly, we do not know exactly why this came about. The rights were never explicitly withdrawn. They just never addressed them.

What we all know is that our Nation has always moved to expand and protect the right to vote so that evermore voices could be heard and represented. It is time to do that again. The fact is, in 1800, when the Federal Government first took up residence in the District, as we all know, sadly, not all Americans could vote. Slaves, who made up nearly a sixth of our Nation's population, had no vote and outrageously were counted as a mere three-fifths of a person. Women could not vote, and neither could many men. Most States required you to be a landowner to vote, so many tradesmen, laborers, shop clerks, farmhands, and others who were vital to the Nation's growing economy were denied the franchise.

The Senators of 1800 were chosen by State legislatures, not by popular vote. President Adams, in fact, was about to be defeated in 1800 by his Vice President, Thomas Jefferson, in an election where most of the members of the electoral college were also chosen by State legislatures, not popular vote.

Well, we have, over the decades and centuries since 1800, righted those wrongs. As I heard someone once say: American democracy is on a journey without a final destination. We keep struggling and, thankfully, achieving, generation after generation, the rights that are proclaimed in our Declaration of Independence. So we move beyond those barriers to voting through legislation, constitutional amendments, and court decisions. And our democracy is, of course, stronger for it.

State legislatures began expanding voter rolls beyond just landowners and also provided for the direct election of Presidential electors. Let me just read from—

The ACTING PRESIDENT pro tempore. The Senator has consumed 14 minutes.

Mr. LIEBERMAN. I thank the Chair.

The Supreme Court, in *Wesberry v. Sanders*, in 1964, ruled that House districts had to be approximately equal in population. That was the so-called "one man, one vote." Again, in each of these cases, our Nation has always had the goal of expanding and protecting the right to vote. And that is what we seek to do today.

I am going to yield now to Senator HATCH, with whom I am proud to cosponsor this legislation. Senator HATCH in this case is not just the distinguished and effective and honorable and intelligent Senator from Utah, he has written one of the great law journal articles which asserts and I think clearly establishes the constitutionality of what we are trying to do today.

So I thank the Chair and I yield the floor to my friend from Utah.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. HATCH. Madam President, I compliment my dear friend and distinguished colleague from Connecticut for the leadership he has provided on this issue and for the intelligence he has brought to this issue as well.

Madam President, I rise to support S. 160, the District of Columbia House Voting Rights Act of 2009, which I am cosponsoring with my friend from Connecticut, Senator LIEBERMAN. This bill would give the District of Columbia one seat and Utah another seat in the House of Representatives. I will address three questions about this bill: whether Congress may pass this bill or this legislation, whether Congress should pass it, and whether the Senate bill is how Congress ought to do it. I believe the answer to all three questions is yes.

The first question is whether the Constitution allows Congress to pass this legislation. Congress may certainly increase the size of the House from 435 to 437 Members and give a new seat to Utah which qualifies for one under the formula used in the last 2000 census. The 2010 census will determine whether Utah keeps this seat. The Congress certainly has the legislative authority to grant it to us. The constitutional question is whether Congress may give the other new House seat created by this bill to the District of Columbia which is, of course, not a State. The District did not even exist when the Constitution was drafted to provide that the House be composed of Members chosen by the people of the several States. The constitutional question is whether the word "States" prevents Congress from providing a House seat for the District.

We should debate more often and more openly whether the Constitution allows us to do what we do. I studied the constitutional issues raised by the bill before us and published my analysis and conclusions, as the distinguished Senator from Connecticut has noted, in the *Harvard Journal on Legislation* for everyone's consideration.

I commend it to my colleagues.

Madam President, I wrote in that article and acknowledge here today that there are legitimate arguments on both sides. There are liberal and conservative legal experts on both sides. As we debate this bill, however, I hope those who oppose it on constitutional grounds will do more than just repeat the single word "States." Noting that the District is not a State is a factual observation; it is not a constitutional argument. It is a premise, not a conclusion.

Several considerations led me to conclude that this legislation's constitutional foundation is solid. First, representation and suffrage are the heart of our American system of self-government. This principle is so fundamental that there must be affirmative evidence that America's Founders intended to deny it to Americans living

in the District. That evidence simply does not exist.

Secondly, America's Founders demonstrated the opposite intention by their own legislative actions. In 1790, as the distinguished Senator from Connecticut has observed, Congress provided by legislation that Americans living in the land ceded for the District could continue voting in congressional elections. Nobody even suggested that this legislation was unconstitutional, even though the land on which those Americans lived was no more part of a State in 1790 than the District is today. If Congress could do it then, Congress can do it now.

Third, the Constitution explicitly gives Congress legislative authority over the District "in all cases whatsoever." This authority has been called sweeping, plenary, and extraordinary by the courts and surpasses the authority a State legislature has over its own State.

Fourth, courts have held for more than two centuries either that constitutional provisions framed in terms of States can be applied to the District or that Congress can legislatively accomplish for the District what the Constitution accomplishes for States. Congress, for example, has authority to regulate commerce among the several States. The Supreme Court held in 1899 that this applies to the District of Columbia.

The original Constitution provided that direct taxes shall be apportioned among the several States. The Supreme Court held in 1805 that Congress's legislative authority over the District allows taxation of the District. The Constitution provides that Federal courts may review lawsuits between citizens of different States. The Supreme Court held in 1805 that Congress can legislatively extend this to the District even though the Constitution does not.

In 2000, the Supreme Court affirmed a lower court decision holding that while the Constitution does not provide congressional representation for the District, that goal can be pursued in other venues including, the Court said, "the political process."

Those who argue the word "States" in the Constitution cannot include the District must believe that all of these court decisions were wrong. They must believe that District commerce cannot be regulated, that District residents cannot be taxed, cannot sue in Federal court, and have no right to a speedy trial. They are entitled to believe that, but they should say so and defend their position.

Fifth, maintaining the District as a jurisdiction separate from State control in no way requires disenfranchising its residents. America's Founders wanted the Capital to be free from State control, and I support keeping it that way. I oppose statehood for the District of Columbia, and I think most people in this body do, but giving the District a House seat so that

its residents can participate in the process of making the laws they must obey in no way changes either the District's political status or Congress's legislative authority over the District.

These are some of the considerations leading me to conclude that the Constitution allows Congress legislatively to provide a House seat for the District of Columbia.

The next question is should Congress do so or whether Congress should do so. I believe it should. Representation and suffrage are essential to our American system of self-government. The Supreme Court has said no right is more precious in a free country than having a voice in the election of those who govern us. Congress provides by legislation for the millions of Americans living overseas to exercise that right by voting in congressional elections. They obviously do not live in a State. They do not even live in America.

Do those who believe the word "States" in the Constitution precludes representation for Americans living in the District, do they believe that it also precludes representation for Americans living outside the country altogether? Of course not.

I wish to emphasize the legislation before us would restore congressional representation that Americans living in the District once enjoyed. After taking up residence in 1800, Congress failed to continue by Federal law the voting rights these Americans had previously enjoyed, by Congress's permission, under State law. One member of the District City Council, Augustus Woodward, wrote in 1801 that District residents are still part of the people of the United States and that "it is violating an original principle of Republicanism to deny that all who are governed by laws ought to participate in the formulation of them."

I continue to believe what I stated more than 30 years ago on the Senate floor that Americans living in the District should enjoy all the privileges of citizens, including voting rights.

If Congress may and should provide a House seat for the District, the remaining question is how to do it. I believe the bill before us, rather than the House version, is the best vehicle for accomplishing that goal. First, it disclaims Senate representation for the District both explicitly and implicitly. It explicitly does so in language that the Senator from Maine, Ms. COLLINS, first introduced during the committee markup in the 110th Congress.

The bill States:

The District of Columbia shall not be considered a State for purposes of representation in the U.S. Senate.

But the bill also implicitly disclaims Senate representation by treating the District as a congressional district rather than as a State even for purposes of House representation. This avoids even a rhetorical parallel to States that have only one House Member.

I wish to firmly repeat my continuing opposition to District represen-

tation in the Senate. I opposed the constitutional amendment in 1978 that would have given the District both House and Senate representation. The two Houses of Congress are designed differently: the House to represent population and the Senate to represent the States. The House is considered the people's body, the Senate the State's body. The 17th amendment changed how Senators are elected but did not change the Senate itself or its place in the design of Congress.

In addition, as I argued in 1978, adding a nonstate jurisdiction to the Senate would disrupt the equal suffrage the Constitution guarantees to the States in this body. Secondly, the Senate bill provides for expedited judicial review. The House bill does not. As I do, my colleagues take the Constitution seriously, and this provision will help ensure that, if necessary, the courts can decide the legal issues.

Third, the Senate bill allows Utah to elect its additional House Member after drawing new congressional district lines. The House bill would improperly force Utah to elect an additional Member at Large. This would create two strange situations. It would mean one House Member from Utah would have three times as many constituents as the other, and it would mean Utahans would each have two House Members, twice as many as Americans living in any other State. Utah has already demonstrated that it is willing and able to draw fair and reasonable lines to elect a fourth House Member, and Congress has no business forcing Utah to do it any other way.

Let me close by saying there are many differences between Utah and the District, to be sure, but their residents deserve to be properly represented in our National Legislature. I do not believe that representation and suffrage, the heart of self-government, should be provided based on how Americans will exercise this most precious right or which party they will likely support. I believe Congress may and should provide for that representation and ought to do so by passing the bill before us today, and I hope we will.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona is recognized.

Mr. KYL. Madam President, obviously, the principal argument that must be made against this bill is its blatant unconstitutionality. Article I of the Constitution clearly and expressly provides that representation in the House of Representatives shall be apportioned among the several States. The meaning of this language is not ambiguous. Only States may be represented in the House of Representatives—not territories, not districts, or other Federal possessions. It is hard to craft a colorable argument that this bill is constitutional, especially in view of court decisions confirming what I just said.

But let me set aside for a moment the constitutional argument and talk

about the idea behind the bill, which is that it is wrong for residents of the District not to have some representation in the House of Representatives. The argument is that everyone is entitled to representation in Congress and that the District currently lacks such a representative—in other words, that the District runs afoul of the principle of "no taxation without representation" as the jurisdiction's current license plates complain. Of course, there is a representative, but that representative is a nonvoting representative.

The argument, however, is wrong. The District does not lack representation in the Congress or need a voting representative to, for example, provide funding for the District of Columbia. It actually already has representatives in Congress: 100 Senators and 435 House Members, all of whom, under the Constitution itself, have the jurisdiction and, indeed, the obligation to provide for the general welfare of the residents of the District of Columbia. All of these Members work in the District. Most of them live close to, if not in, the District. Their presence here and the oversight that Congress provides and the funding Congress provides effectively ensures that the District is adequately cared for by the Congress.

If anyone here today doubts that Congress has been anything less than generous toward the District, I would ask them to consider the latest data from the Tax Foundation on the amount of tax dollars each State and the District pay to the Federal Government and the amount each receives in Federal spending in return.

Let's start with those States for whom the redistribution of America's wealth via the Federal Government is not such a good deal. Going down the rankings to No. 47 of per capita dollars received to dollars taxed, we have the State of New Hampshire. Its residents paid an average of \$8,162 of taxes to the Federal Government but received a per capita average of only \$6,386 in Federal spending. This earned New Hampshire a return of only 71 cents for each dollar paid in Federal taxes.

Next on the list is the State of Connecticut. Its residents paid an average of \$11,522 in Federal taxes but saw only \$8,795 per capita in Federal spending in return, which means every dollar in Federal taxes saw a return of only 69 cents in Federal spending.

At No. 49 on the scale of returns is the State of Nevada. Its residents saw only a 65-cent return on every dollar paid in Federal taxes. On average, every Nevadan paid \$8,417 in Federal taxes, but the State received only \$5,889 per capita in Federal spending.

Finally, rock bottom on the list of beneficiaries of Federal largess is the State of New Jersey. Its residents paid a total of \$86 billion in taxes to the Federal Government. That comes to \$9,902 paid to the United States by every man, woman, and child in the State. Yet the State saw only \$6,740 in Federal spending—a return of only 61

cents of Federal return for every dollar New Jersey residents send to Washington.

Neither New Jersey nor any of these other States pay the most in total taxes to the Federal Government. That honor goes to California, whose citizens paid a total of \$289 billion in taxes to the Federal Government. That comes out to \$8,028 for every man, woman, and child in California. But in return, the State only received \$6,709 per capita in Federal spending—a return of only 78 cents for each dollar in Federal taxes paid.

There is also the other end of the scale—the States that received more in Federal spending than they pay in Federal taxes. Which are they? Let's start with West Virginia, which ranked fifth. Its residents paid an average of \$4,861 in taxes and received \$8,872 per capita in Federal spending—a return of \$1.76 for every dollar in taxes.

No. 2 on the list is Mississippi, which saw a return of \$2.03 for every \$1 paid in Federal taxes.

At the very top is New Mexico, whose residents paid an average of \$5,153 in Federal taxes but saw a per capita return of \$10,733 in Federal spending or \$2.03 for every dollar paid in Federal taxes. Mississippi and New Mexico, with two Senators each, and with four and three Congressmen respectively, made out better than all other States in terms of per capita Federal spending that Congress delivered to these States, as compared to the amounts they pay in taxes. No State got a better deal than Mississippi and New Mexico, which saw a per capita return of over \$2 for every dollar paid. So they did very well by any measurement.

There is one jurisdiction that does better than even these States and that is—as you might guess—the District of Columbia. It far exceeded the \$2 return seen by even the No. 1 and 2 States on the list of Federal beneficiaries. For the last year for which data is available, District residents paid an average of \$11,582 in Federal taxes. But in return, the District of Columbia received over \$65,109 in per capita Federal spending. This represents a return that is more than twice as high as that received by the No. 1 and 2 States, a return of 55 cents for every \$1 that its residents paid in Federal taxes. The District did over six times better than even first-ranked New Mexico, at \$65,109. This represents a 555-percent return on the District's investment in Federal taxes—generous by any standard, even accounting for the fact that much of the money is for the Federal area for buildings and other projects within the District.

The numbers I have been citing have not abated in recent times. Most recently, on February 14, in the Federal stimulus bill, the District's nonvoting Delegate, Holmes-Norton, issued a press release bragging about the District's recent take. She gave a press briefing in which, according to news accounts:

... gave a detailed account of the \$620 million of benefits for the District of Columbia in the American Recovery and Reinvestment Plan of 2009 at a press conference this morning. The funds in the stimulus package are expected to generate 12,000 jobs and an even larger number of jobs at the Department of Homeland Security headquarters in Ward 8, which will receive \$650 million, even more than expected, to build the first of five buildings at the DHS compound, a project expected to generate 38,000 jobs in the area. The Congresswoman's work to make sure that in every category DC was treated as a State paid off handsomely for the District, which did better in funds received than seven States. Funds to repair federal structures will be spent disproportionately in DC because so many Federal buildings are located here.

One would expect DC would receive more Federal money because of the Federal enclave that exists in the District. But the point of the representative is to note that all of that benefits the residents of the District as well, unlike that money that goes to the States. So straight from the nonvoting District's representative, you have the fact that the Congress has clearly been very generous toward the District. It is in no way underrepresented and certainly doesn't deserve to have an additional Member of Congress, whose goal it would be to expand the District's share of Federal spending.

Even if giving the District a dedicated representative in the House were sound policy, let me return to the argument about the constitutionality. This, the proponents appreciate, is the soft underbelly of this legislation. There are arguments they adduce to support its constitutionality. I submit they are weak and will not succeed in court. I appreciate the fact that the sponsors of the bill support the necessity of an expedited hearing to get the legislation heard and a decision made by the courts as to its constitutionality. That is the least we would owe the representatives of the District, as well as the other citizens of the country.

Congress has long recognized we can only grant District residents the ability to participate in Federal elections through constitutional amendment. Prior to 1961, for example, District residents were not permitted to vote in Presidential elections. Article II, section 1 of the Constitution provides that the electors from each State should be comprised of the number equal to the State's combined congressional delegation. In the face of this express constitutional language, Congress recognized that a change to the law would require a change to the Constitution itself. That is why, when we granted DC residents the right to participate in Presidential elections, we went about it the right way—by passing the 23rd amendment to the Constitution.

Just as article II of the Constitution, which deals with the Presidency, limited the right to appoint Presidential electors to the State, article I, which deals with Congress, clearly and repeatedly limits representation in the

House and Senate to the State. Article I says the House "shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature." Obviously, that doesn't apply to the District of Columbia. It requires that each representative, "when elected, be an inhabitant of that state in which he was chosen." It mandates that "each state . . . have at least one Representative," and it provides that "when vacancies happen in the Representation for any state, the executive authority thereof shall issue writs of election to fill such vacancies." Again, it could not have application to the DC.

The import of these provisions was recognized by the legal scholar, Jonathan Turley, in a law review article published last year. In it he concludes:

It would be ridiculous to suggest that the delegates to the Constitutional Convention or ratification conventions would have worked out such specific and exacting rules for the composition of Congress, only to give the majority of Congress the right to create a new form of voting members from federal enclaves like the District. It would have constituted the realization of the worst fears for many delegates, particularly Anti-Federalists, to have an open-ended ability of the majority to manipulate the rolls of Congress and to use areas under the exclusive control of the Federal Government as the source for new voting members.

Indeed, congressional Democrats, in 1978—and Republicans as well—recognized that giving the District of Columbia a dedicated House Member would require amending the Constitution. That year, Congress passed an amendment giving District residents a voting seat in the House. When the House Judiciary Committee, under the leadership of Chairman Peter Rodino, reported out the amendment, the accompanying report recognized that "if the citizens of the District are to have voting representation in the Congress, a constitutional amendment is essential; statutory action alone will not suffice."

I am certainly not alone in concluding that this bill, though well-intentioned, violates the plain language of the Constitution. The very court that will hear challenges to this bill under its expedited judicial review provision has already ruled that District residents do not have a constitutional right to congressional representation. In *Adams v. Clinton*, decided in 2000, a three-judge panel of the Federal District Court for the District of Columbia had concluded that the Constitution plainly limited congressional representation to the States. Here is what the court said:

The overlapping and interconnected use of the term "state" in the relevant provisions of article I, the historical evidence of contemporary understandings, and the opinions of our judicial forebears, all reinforce how deeply Congressional representation is tied to the structure of statehood. . . . There is simply no evidence that the Framers intended that not only citizens of the States,

but unspecified others as well, would share in the congressional franchise.

The District residents who brought suit in *Adams v. Clinton* appealed their case all the way to the U.S. Supreme Court, and the Supreme Court allowed the trial court's ruling to stand.

The Senate should not be passing legislation that we believe is unconstitutional. We should not pass the buck to the Federal courts because we feel good about a particular case to be made and want to express our feelings about it, in the firm judgment that the court will save us from ourselves and declare our action unconstitutional. When we neglect our duty to the Constitution, we fail to uphold the oath that we take as Senators to support and defend our great founding documents.

My friends in the Senate who support this legislation rely essentially on two arguments, neither of which, I submit, outweighs the clear mandate in article II. First, they claim that another provision in the Constitution, the so-called District clause, allows Congress to essentially grant any sort of legislation relating to the District of Columbia, including even legislation to give DC residents a voting House Member. This clause doesn't do that. What it does is permit Congress to pass laws to provide for the general welfare of District residents. The bill, however, does not propose to provide for the welfare of District residents; it seeks to alter the fundamental composition of the House of Representatives.

This clause not only does not allow the Congress to change the law without a constitutional amendment; it is, in effect, a logical extension of the fact that the District requires some separate entity to make the laws and provide for its needs, and that, of course, as identified in the Constitution, is the Congress. So, far from supporting the case, it actually confirms the argument that the District, not being a State, is not entitled to representation as a State.

Second, proponents of the bill correctly point out that there are certain instances in the Constitution where references to citizens of the States has been interpreted to include residents of the District of Columbia. Many of these cases, though, involve individual rights, and it is obvious that DC residents do not lose their rights as citizens of the United States by choosing to live in the District. For example, they retain the right to trial by jury, and they may bring civil suits in Federal court against citizens of other States and so on. The bill is not a bill about individual rights, such as free speech, the right to own firearms or to due process of law. It is a bill about the makeup of House of Representatives. It is about the delicate balance our constitutional Framers struck in affording representation to the States in the House and the Senate, and it is about the fundamental structure of our Government.

Finally, there is actually nothing standing in the way of full representa-

tion in the Congress for residents of the District. In fact, there have been previous offers, and there will be another offer in the context of the debate on this bill to allow the residents of the District of Columbia to vote as a congressional district of the State of Maryland. The retrocession amendment would also allow representation in the Senate as well. This is essentially what residents of Virginia had when the land was retroceded to the State of Virginia that had originally been carved out as part of the 10-mile square of the District of Columbia. Up to now, the residents of the District have not seen fit to take advantage of this offer to have full representation in the Congress as residents of the State of Maryland. But they will have that opportunity again when an amendment is proposed in the context of this legislation.

The bottom line is this: The District of Columbia residents do not suffer from a lack of representation in terms of the general welfare of the District. The Congress has been enormously generous and has ceded jurisdiction to the city of the District of Columbia and provided funding and other legislation to govern the District as called for under article I.

Secondly, the Constitution of the United States could not be clearer about the fact that representation is limited to the States of the Union.

The District of Columbia being a Federal enclave, not being a State, therefore, is not entitled to congressional representation, so the Federal District Court of the District of Columbia has held. The Supreme Court has declined to review that ruling, allowing it to stand. It is my firm belief when this legislation, if it is passed, is challenged, it will, in fact, be declared unconstitutional. Because of that, it seems to me those of us in the Congress who respect the Constitution and this argument should oppose the legislation on the grounds that we should never pass legislation that we believe to be unconstitutional in the hopes that the Congress will be overruled by the Court and the Court will save us from the action we take.

I reserve the remainder of the time on my side and see if anybody else on the other side wishes to speak.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mr. KENNEDY. Madam President, our vote today affects one of the core issues of our democracy—the right to vote. It is a fundamental American principle that every citizen should have the right to vote and to participate in our democracy. Yet the nearly 600,000 residents of the District of Columbia have no voting representative in Congress. Americans give up their right to vote for Members of Congress when they move to the Nation's Capital. It is long past time for us to finally correct this basic wrong, and I commend Senators LIEBERMAN and

HATCH for their strong leadership on this legislation.

The basic injustice is clear. Already this year, District of Columbia residents have paid over \$500 million in Federal taxes. Annually, they have the second highest per capita tax burden in the Nation. But they are denied the basic right of congressional representation taken for granted by other tax-paying Americans.

DC residents have fought and died to protect our Nation in every war in which America has participated since our Nation was founded. Since World War I, over 192,000 residents of the District of Columbia have served in our Armed Forces, and more than 1,600 DC residents have given their lives in service to our Nation. Since the start of the current wars in Iraq and Afghanistan, nearly 3,000 DC residents have been deployed in those countries and dozens of DC residents have been wounded or killed. There is no reason to deny representation in Congress to these patriotic veterans.

I have long been a strong supporter of DC representation in Congress. In 1978, the District's nonvoting Delegate in the House, Walter Fauntroy, our Senate majority leader, ROBERT BYRD, and I worked with many others to pass a constitutional amendment to extend full voting rights to Americans living in the Nation's Capital. Congress passed that constitutional amendment, but too few States ratified it, and it never took effect.

Although I strongly supported that constitutional amendment, I do not believe that a constitutional amendment is the only valid option. In 1978, we were following the precedent of the 23rd amendment, which was approved by Congress in June 1960 and was ratified by the States in March 1961 and which gave citizens of the District of Columbia the right to vote in Presidential elections. At the time, there was little opposition in the House to the amendment giving the District congressional representation, and the Republican leaders in the Senate actively supported it. It passed the House by a vote of 289 to 127. The Senate passed it by a vote of 67 to 32, narrowly above the two-thirds majority required for a constitutional amendment. Needless to say, we were deeply disappointed by the failure of the States to ratify the amendment, and that failure planted the seeds for the serious consideration now of the statutory option for achieving the goal.

As the House and Senate hearings on the current bill make abundantly clear, the Constitution's District clause provides a valid means for acting by statute to grant citizens of the District of Columbia the right to vote in the House of Representatives. In testimony on the bill, numerous constitutional scholars have explained that article I, section 8 of the Constitution grants Congress the authority "to exercise exclusive Legislation, in all Cases whatsoever, over" the District of

Columbia. The Supreme Court has ruled that Congress's exclusive authority over the District of Columbia is broad and "national in the highest sense." *O'Donoghue v. United States*, 289 U.S. 516, 539-40, 1933.

Madam President, at this very moment as the Senate debates whether DC citizens deserve a vote in Congress, many brave Americans born in the District of Columbia are fighting for democracy in Iraq. If we are for democracy in Iraq and Afghanistan, we cannot oppose democracy in the District of Columbia. If we believe in the principles of "one person, one vote" and government by the consent of the governed on which our Nation was founded, we must support this bill.

I urge my colleagues to vote for cloture on the motion to proceed to this long overdue legislation and to support final passage of the bill so that we can finally correct this historic wrong.●

Mr. BAUCUS. Madam President, I rise today to discuss the District of Columbia House Voting Rights Act.

This legislation, if passed, is an unprecedented action. For the first time in history, Congress will grant the District of Columbia a voting seat in the U.S. House of Representatives. For decades, citizens of the District of Columbia have fought for their right to vote in Congress.

But this legislation sets precedence in another way. The bill we discuss today does not provide merely one additional seat in the House of Representatives. It adds two. The second seat is given to Utah.

For the first time in history, Congress will specifically set out in legislation an additional seat in Congress for an existing State.

This measure is included in this bill not because of the belief that the people of Utah are in the same position as those living in the District of Columbia. Instead, this additional seat is included in the legislation in an effort to balance the supposed political makeup of the two new districts—one Republican and one Democratic.

I do not support the reasons behind this second additional seat, and thus, I cannot vote in support of this bill.

The State of Utah failed to obtain an additional seat in the last apportionment by a narrow margin. Many in the State felt the reapportionment was unfair. In fact, the State of Utah took its argument all the way to the U.S. Supreme Court but lost that battle in court.

But Utah is not unique. The people of the State of Montana can relate. Mr. President, I would like to share with you today Montana's story.

In the 1910 reapportionment, with a population of 243,000, Montana gained an additional seat in the House of Representatives, for a total of 2 seats. But 80 years later following the 1990 census, 8 States gained a total of 19 additional seats in the House of Representatives, and 13 States lost an equal number.

Montana was one of those States. With a population of over 800,000, Mon-

tana lost 1 seat, reducing its voice in the House in half. Losing this seat established the State of Montana as the largest single congressional district in the United States.

In 1990, the average size of the 435 congressional districts was 572,466 people. From 1910 to 1990, Montana's population increased by 563,000 people roughly the size of a modern congressional district.

Yet in 1990, Montana lost a congressional seat. In fact, if Montana had retained its two districts, each would have been closer to the ideal, average district size than the single congressional district.

The State of Montana—just like Utah—sued the U.S. Department of Commerce, asserting the reapportionment was unconstitutional. A three-judge district court panel ruled in favor of the State of Montana. The district court held that the principle of equal representation for equal number of people as applied to State districting by the U.S. Supreme Court in 1964, should also be applied to the apportionment of seats among the States.

The U.S. Government appealed the decision. On March 2, 1992, the U.S. Supreme Court held oral arguments on the case. I attended the oral arguments, sitting behind then-attorney general for Montana Marc Racicot, as he argued on behalf of the State of Montana.

Unfortunately, the Supreme Court reversed the district court decision, upholding the reapportionment and Montana's lost seat.

The people of Montana accepted that fate and patiently waited for the next reapportionment, hoping to obtain the second seat Montana lost 10 years earlier. Early estimates were promising. The 1995 projection for 2000 census estimated that Montana would regain its second seat.

However, Montana came up short in the 2000 census. Though Montana's population grew by 12.9 percent, nearly matching the national rate, Montana's congressional representation remained the same. In fact, the State came up only 8,000 people short of the number needed, just nine-tenths of 1 percent of the State's population. Only Utah missed gaining another seat with a narrower margin.

Marc Racicot, then-Governor of Montana in 2000, said the unfairness of having such a large district was obvious. The ability of one person to represent over 900,000 is substantially strained, he said.

Today, the State of Montana remains the single most populated congressional district in the United States, at a population over 947,000—far larger than the average population per district of 625,000.

But mere population doesn't tell the whole story.

The State of Montana is the fourth largest State in the country. With over 145,000 square miles, Montana is bigger than the District of Columbia, Mary-

land, Virginia, and North Carolina combined. It is larger than all of New England.

Though Montana may not be the biggest congressional district based on land mass—Alaska has us beat—Montana's population is spread out more evenly across the State's vast area. Billings, Montana's largest "city," only just recently surpassed 100,000 people.

In Montana, we don't distinguish between rural and nonrural. Rural is a matter of degree, as it compares to an increasingly more urban and suburban Nation.

This bill should be about the District of Columbia and the merits of awarding the taxpayers of the District their right to vote in Congress. Indeed, the bill itself is called the District of Columbia House Voting Rights Act. But to strike a political deal to maintain the status quo in the Halls of Congress is something I cannot support.

The PRESIDING OFFICER (Mr. UDALL of Colorado.) The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I say to my friend from Arizona, Mr. KYL, that Senator DURBIN, the senior Senator from Illinois, is on his way to speak for 5 minutes. Senator KYL has raised some important constitutional questions. I spoke to them briefly in my opening statement. Senator HATCH spoke at more length. It will undoubtedly consume a great deal of discussion, assuming we invoke cloture when we vote in approximately 15 minutes. I will wait to respond until then and remind my colleagues, of course, that on the constitutional question, I think it is at least arguable—I believe it is more than arguable. I believe the proposal before the Senate today is clearly constitutional and has been acknowledged as such by a wide array of experts—left, center, right—but that will be determined by the Chamber.

I remind my colleagues what we are voting on today is whether we are going to take up this bill. The basic reality is that a grave injustice has been done to the residents of this District. Mr. President, 600,000 Americans do not have voting representation in Congress just because they happen to live in our Nation's Capital, the only democracy in the world where that is so. It is an embarrassment. I think my friends who oppose this bill agree; we just disagree on the constitutionality of this proposal.

I ask everyone, please vote for cloture. Let's at least give the residents of the District their day in the Senate and hopefully we will go on to enact this legislation. But this bill certainly at least deserves to be debated.

I reserve the remainder of the time on our side.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I understand the time on the Democratic side has expired, but when Senator DURBIN arrives, I will yield him Republican time

to make his statement, if he would like to do that.

Mr. LIEBERMAN. I thank my friend for his generosity.

Mr. KYL. In the meantime, 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. DURBIN. 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. DURBIN. Mr. President, it is my understanding there is a vote scheduled for 11:15 a.m.

The PRESIDING OFFICER. The Senator is correct.

Mr. DURBIN. I don't know if any time has been allotted between now and 11:15.

Mr. LIEBERMAN. Mr. President, I say to the Senator from Illinois, we actually used all our time. Senator KYL graciously offered the Senator from Illinois the final 5 minutes of their time.

The PRESIDING OFFICER. The Senator from Connecticut does have 1 minute remaining.

Mr. LIEBERMAN. One minute of mine and four of his.

Mr. DURBIN. I thank my gracious colleagues.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, the Senate is debating whether to have a vote this week on a very important bill called the District of Columbia House Voting Rights Act of 2009. This bill would finally give voting rights to the people of the District of Columbia after 200 years. I am a cosponsor and supporter of this measure; I have been since the earlier days of my service in the House.

I find it unimaginable in modern America that 600,000 Americans have no voice and no vote in the U.S. Congress. It is a fact. It reflects decisions made long ago about whether the District of Columbia and its residents would be represented in Congress. There is a good reason they should be.

The right to vote is one of the most fundamental in the United States. Over a century ago, the Supreme Court called the right to vote "a fundamental political right" and a right that is "preservative of all rights."

It is unconscionable that we would ask the men and women in the District of Columbia to fight and risk their lives so the people of Iraq and Afghanistan have the right to vote, but we do not extend that same right to the citizens of the District of Columbia.

Seven DC residents have died on the battlefields of Iraq and Afghanistan: SPC Darryl Dent, LCpl Greg MacDonald, MAJ Kevin Shea, LTC Paul Kimbrough, CPT Darrell Lewis, SGT Randy Lewis Johnson, Jr., and SPC Keisha Marie Morgan. They were unable to fully participate in democracy in the town from which they came.

Opponents of the DC voting rights bill say they have constitutional concerns. They point to language in the Constitution that says the House of Representatives will be composed of Members chosen by "the people of the several States." They argue that the District of Columbia is a district, not a State.

I do not think that is a strong argument. Our Federal judiciary has long treated the District of Columbia as a State for many purposes. For example, DC residents pay Federal income tax, serve on Federal juries, and register for Selective Service. Why should the right to vote be different?

Do opponents of DC voting rights believe that residents of America's Capital City should bear the full responsibilities of citizenship but not deserve the full rights of citizenship?

It is not just Democrats who believe the DC voting bill is constitutional. Many prominent Republicans agree. I am pleased that a half dozen of my Senate Republican colleagues have voted in the past for this bill. Listen to the words of conservative constitutional scholar Kenneth Starr. It is not often I have quoted him. He is not someone with whom I frequently see eye to eye. He coauthored a Washington Post op-ed and said:

There is nothing in our Constitution's history or its fundamental principles suggesting that the Framers intended to deny the precious right to vote to those who live in the capital of the great democracy they founded.

I conclude by saying that I have served in the Senate now for a little over 12 years and the House 14 years before. I have seen the Congress treat the District of Columbia many times in a way that I found unacceptable, sometimes embarrassing. There are many Members of Congress whose obvious lifelong ambition is to serve as the mayor of a city—they cannot wait to be the Mayor of the District of Columbia—by the laws we pass on the floor of the House and Senate. We have denied to these people a voice in that process. We have made basic and fundamental decisions for the residents of this city which many of us never would have imposed on the city we represent. But they have been used as a laboratory for political debate and political experiment.

It is time that the people of this great Capital City have a voice in the Halls of Congress, at least in the House of Representatives. This bill is an important step forward in extending the opportunity for participation in our democracy and the opportunity for freedom. In this 21st century, we can do no less. I hope the new day, the change we are seeing in America, will be seen in the District of Columbia soon when they are given the right to have a voice in the Congress.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, if I may, before the vote goes off, I simply

wish to note that in addition to the names I indicated in my opening statement who are cosponsors of S. 160, Senator SPECTER of Pennsylvania and Senator SCHUMER of New York have also joined.

And on behalf of my colleagues, I would note the presence in the Chamber and welcome the Honorable Mayor of the District of Columbia, Adrian Fenty, and the honorable and eloquent and aggrieved Delegate from the District, ELEANOR HOLMES NORTON.

I yield the floor.

#### CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to S. 160, the District of Columbia House Voting Rights Act of 2009.

Harry Reid, Joseph I. Lieberman, Richard Durbin, Charles E. Schumer, Christopher J. Dodd, Benjamin L. Cardin, Edward E. Kaufman, Mark Udall, Daniel K. Inouye, Michael F. Bennet, Mary L. Landrieu, Mark L. Pryor, Sheldon Whitehouse, Roland W. Burris, Patty Murray, Bernard Sanders, Thomas R. Carper.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 160, the District of Columbia House Voting Rights Act of 2009, shall be brought to a close? The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Iowa (Mr. HARKIN) and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

I further announce that, if present and voting, the Senator from Iowa (Mr. HARKIN) would vote "yea."

Mr. KYL. The following Senator is necessarily absent: the Senator from South Carolina (Mr. DEMINT).

Further, if present and voting, the Senator from South Carolina (Mr. DEMINT) would have voted "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 62, nays 34, as follows:

[Rollcall Vote No. 65 Leg.]

#### YEAS—62

Akaka	Cantwell	Dorgan
Bayh	Cardin	Durbin
Begich	Carper	Feingold
Bennet	Casey	Feinstein
Bingaman	Cochran	Gillibrand
Boxer	Collins	Hagan
Brown	Conrad	Hatch
Burris	Dodd	Inouye

Johnson	Menendez	Shaheen
Kaufman	Merkley	Snowe
Kerry	Mikulski	Specter
Klobuchar	Murkowski	Stabenow
Kohl	Murray	Tester
Landrieu	Nelson (FL)	Udall (CO)
Lautenberg	Nelson (NE)	Udall (NM)
Leahy	Pryor	Voivovich
Levin	Reed	Warner
Lieberman	Reid	Webb
Lincoln	Rockefeller	Whitehouse
Lugar	Sanders	Wyden
McCaskill	Schumer	

## NAYS—34

Alexander	Cornyn	Martinez
Barrasso	Crapo	McCain
Baucus	Ensign	McConnell
Bennett	Enzi	Risch
Bond	Graham	Roberts
Brownback	Grassley	Sessions
Bunning	Gregg	Shelby
Burr	Hutchison	Thune
Byrd	Inhofe	Vitter
Chambliss	Isakson	Wicker
Coburn	Johanns	
Corker	Kyl	

## NOT VOTING—3

DeMint	Harkin	Kennedy
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The PRESIDING OFFICER. On this vote, the yeas are 62, the nays are 34. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The clerk will report the bill.

The assistant legislative clerk read as follows:

A bill (S. 160) to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives.

The Senate proceeded to consider the bill (S. 160) to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

## S. 160

*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 “District of Columbia House Voting Rights Act of 2009”.

**SEC. 2. TREATMENT OF DISTRICT OF COLUMBIA AS CONGRESSIONAL DISTRICT.**

(a) CONGRESSIONAL DISTRICT AND NO SENATE REPRESENTATION.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the District of Columbia shall be considered a congressional district for purposes of representation in the House of Representatives.

(2) NO REPRESENTATION PROVIDED IN SENATE.—The District of Columbia shall not be considered a State for purposes of representation in the United States Senate.

(b) CONFORMING AMENDMENTS RELATING TO APPOINTMENT OF MEMBERS OF HOUSE OF REPRESENTATIVES.—

(1) INCLUSION OF SINGLE DISTRICT OF COLUMBIA MEMBER IN REAPPORTIONMENT OF MEMBERS AMONG STATES.—Section 22 of the Act entitled “An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress”, approved June 28, 1929 (2 U.S.C. 2a), is amended by adding at the end the following new subsection:

“(d) This section shall apply with respect to the District of Columbia in the same manner as this section applies to a State, except that the

District of Columbia may not receive more than one Member under any reapportionment of Members.”.

(2) CLARIFICATION OF DETERMINATION OF NUMBER OF PRESIDENTIAL ELECTORS ON BASIS OF 23RD AMENDMENT.—Section 3 of title 3, United States Code, is amended by striking “come into office;” and inserting “come into office (subject to the twenty-third article of amendment to the Constitution of the United States in the case of the District of Columbia);”.

**SEC. 3. INCREASE IN MEMBERSHIP OF HOUSE OF REPRESENTATIVES.**

(a) PERMANENT INCREASE IN NUMBER OF MEMBERS.—Effective with respect to the 112th Congress, or the first Congress sworn in after the implementation of this Act, and each succeeding Congress, the House of Representatives shall be composed of 437 Members, including the Member representing the District of Columbia pursuant to section 2(a).

(b) REAPPORTIONMENT OF MEMBERS RESULTING FROM INCREASE.—

(1) IN GENERAL.—Section 22(a) of the Act entitled “An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress”, approved June 28, 1929 (2 U.S.C. 2a(a)), is amended by striking “the then existing number of Representatives” and inserting “the number of Representatives established with respect to the 112th Congress, or the first Congress sworn in after implementation of the District of Columbia House Voting Rights Act of 2009”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to the regular decennial census conducted for 2010 and each subsequent regular decennial census.

(c) TRANSMITTAL OF REVISED APPOINTMENT INFORMATION BY PRESIDENT.—

(1) STATEMENT OF APPOINTMENT BY PRESIDENT.—Not later than 30 days after the date of the enactment of this Act, the President shall transmit to Congress a revised version of the most recent statement of apportionment submitted under section 22 of the Act entitled “An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress”, approved June 28, 1929 (2 U.S.C. 2a), to take into account this Act and the amendments made by this Act. The statement shall reflect that the District of Columbia is entitled to one Representative and shall identify the other State entitled to one representative under this section. Pursuant to section 22 of the Act entitled “An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress”, approved June 28, 1929 (2 U.S.C. 2a), as amended by this Act, and the regular decennial census conducted for 2000, the State entitled to the one additional representative is Utah.

(2) REPORT BY CLERK.—Not later than 15 calendar days after receiving the revised version of the statement of apportionment under paragraph (1), the Clerk of the House of Representatives shall submit a report to the Speaker of the House of Representatives indicating that the District of Columbia is entitled to one Representative and identifying the State which is entitled to one additional Representative pursuant to this section. Pursuant to section 22 of the Act entitled “An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress”, approved June 28, 1929 (2 U.S.C. 2a), as amended by this Act, and the regular decennial census conducted for 2000, the State entitled to the one additional representative is Utah.

(3) ADDITIONAL STATEMENTS AND REPORTS.—

(A) IN GENERAL.—Subject to subparagraph (B) and following the revised statement of apportionment and subsequent report under paragraphs (1) and (2), the Statement of Apportionment by the President and subsequent reports by the Clerk of the House of Representatives shall

continue to be issued at the intervals and pursuant to the methodology specified under section 22 of the Act entitled “An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress”, approved June 28, 1929 (2 U.S.C. 2a), as amended by this Act.

(B) FAILURE TO COMPLETE.—In the event that the revised statement of apportionment and subsequent report under paragraphs (1) and (2) can not be completed prior to the issuance of the regular statement of apportionment and subsequent report under section 22 of the Act entitled “An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress”, approved June 28, 1929 (2 U.S.C. 2a), as amended by this Act, the President and Clerk may disregard paragraphs (1) and (2).

**SEC. 4. UTAH REDISTRICTING PLAN.**

The general election for the additional Representative to which the State of Utah is entitled for the 112th Congress, pursuant to section 3(c), shall be elected pursuant to a redistricting plan enacted by the State, such as the plan the State of Utah signed into law on December 5, 2006, which—

(1) revises the boundaries of congressional districts in the State to take into account the additional Representative to which the State is entitled under section 3; and

(2) remains in effect until the taking effect of the first reapportionment occurring after the regular decennial census conducted for 2010.

**SEC. 5. EFFECTIVE DATE.**

The additional Representative other than the Representative from the District of Columbia, pursuant to section 3(c), and the Representative from the District of Columbia shall be sworn in and seated as Members of the House of Representatives on the same date as other Members of the 112th Congress or the first Congress sworn in after implementation of this Act.

**SEC. 6. CONFORMING AMENDMENTS.**

(a) REPEAL OF OFFICE OF DISTRICT OF COLUMBIA DELEGATE.—

(1) REPEAL OF OFFICE.—

(A) IN GENERAL.—Sections 202 and 204 of the District of Columbia Delegate Act (Public Law 91–405; sections 1–401 and 1–402, D.C. Official Code) are repealed, and the provisions of law amended or repealed by such sections are restored or revived as if such sections had not been enacted.

(B) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date on which a Representative from the District of Columbia takes office.

(2) CONFORMING AMENDMENTS TO DISTRICT OF COLUMBIA ELECTIONS CODE OF 1955.—The District of Columbia Elections Code of 1955 is amended as follows:

(A) In section 1 (sec. 1–1001.01, D.C. Official Code), by striking “the Delegate to the House of Representatives,” and inserting “the Representative in Congress,”.

(B) In section 2 (sec. 1–1001.02, D.C. Official Code)—

(i) by striking paragraph (6); and

(ii) in paragraph (13), by striking “the Delegate to Congress for the District of Columbia,” and inserting “the Representative in Congress,”.

(C) In section 8 (sec. 1–1001.08, D.C. Official Code)—

(i) in the heading, by striking “Delegate” and inserting “Representative”; and

(ii) by striking “Delegate,” each place it appears in subsections (h)(1)(A), (i)(1), and (j)(1) and inserting “Representative in Congress,”.

(D) In section 10 (sec. 1–1001.10, D.C. Official Code)—

(i) in subsection (a)(3)(A)—

(I) by striking “or section 206(a) of the District of Columbia Delegate Act”; and

(II) by striking “the office of Delegate to the House of Representatives” and inserting “the office of Representative in Congress”;

(ii) in subsection (d)(1), by striking “Delegate,” each place it appears; and

(iii) in subsection (d)(2)—

(I) by striking “(A) In the event” and all that follows through “term of office,” and inserting “In the event that a vacancy occurs in the office of Representative in Congress before May 1 of the last year of the Representative’s term of office,”; and

(II) by striking subparagraph (B).

(E) In section 11(a)(2) (sec. 1–1001.11(a)(2), D.C. Official Code), by striking “Delegate to the House of Representatives,” and inserting “Representative in Congress,”.

(F) In section 15(b) (sec. 1–1001.15(b), D.C. Official Code), by striking “Delegate,” and inserting “Representative in Congress,”.

(G) In section 17(a) (sec. 1–1001.17(a), D.C. Official Code), by striking “the Delegate to Congress from the District of Columbia” and inserting “the Representative in Congress”.

(b) REPEAL OF OFFICE OF STATEHOOD REPRESENTATIVE.—

(I) IN GENERAL.—Section 4 of the District of Columbia Statehood Constitutional Convention Initiative of 1979 (sec. 1–123, D.C. Official Code) is amended as follows:

(A) By striking “offices of Senator and Representative” each place it appears in subsection (d) and inserting “office of Senator”.

(B) In subsection (d)(2)—

(i) by striking “a Representative or”;

(ii) by striking “the Representative or”;

(iii) by striking “Representative shall be elected for a 2-year term and each”.

(C) In subsection (d)(3)(A), by striking “and 1 United States Representative”.

(D) By striking “Representative or” each place it appears in subsections (e), (f), (g), and (h).

(E) By striking “Representative’s or” each place it appears in subsections (g) and (h).

(2) CONFORMING AMENDMENTS.—

(A) STATEHOOD COMMISSION.—Section 6 of such Initiative (sec. 1–125, D.C. Official Code) is amended—

(i) in subsection (a)—

(I) by striking “27 voting members” and inserting “26 voting members”;

(II) by adding “and” at the end of paragraph (5); and

(III) by striking paragraph (6) and redesignating paragraph (7) as paragraph (6); and

(ii) in subsection (a–1)(1), by striking subparagraph (H).

(B) AUTHORIZATION OF APPROPRIATIONS.—Section 8 of such Initiative (sec. 1–127, D.C. Official Code) is amended by striking “and House”.

(C) APPLICATION OF HONORARIA LIMITATIONS.—Section 4 of D.C. Law 8–135 (sec. 1–131, D.C. Official Code) is amended by striking “or Representative” each place it appears.

(D) APPLICATION OF CAMPAIGN FINANCE LAWS.—Section 3 of the Statehood Convention Procedural Amendments Act of 1982 (sec. 1–135, D.C. Official Code) is amended by striking “and United States Representative”.

(E) DISTRICT OF COLUMBIA ELECTIONS CODE OF 1955.—The District of Columbia Elections Code of 1955 is amended—

(i) in section 2(13) (sec. 1–1001.02(13), D.C. Official Code), by striking “United States Senator and Representative,” and inserting “United States Senator,”; and

(ii) in section 10(d) (sec. 1–1001.10(d)(3), D.C. Official Code), by striking “United States Representative or”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date on which a Representative from the District of Columbia takes office.

(c) CONFORMING AMENDMENTS REGARDING APPOINTMENTS TO SERVICE ACADEMIES.—

(1) UNITED STATES MILITARY ACADEMY.—Section 4342 of title 10, United States Code, is amended—

(A) in subsection (a), by striking paragraph (5); and

(B) in subsection (f), by striking “the District of Columbia,”.

(2) UNITED STATES NAVAL ACADEMY.—Such title is amended—

(A) in section 6954(a), by striking paragraph (5); and

(B) in section 6958(b), by striking “the District of Columbia,”.

(3) UNITED STATES AIR FORCE ACADEMY.—Section 9342 of title 10, United States Code, is amended—

(A) in subsection (a), by striking paragraph (5); and

(B) in subsection (f), by striking “the District of Columbia,”.

(4) EFFECTIVE DATE.—This subsection and the amendments made by this subsection shall take effect on the date on which a Representative from the District of Columbia takes office.

#### SEC. 7. NONSEVERABILITY OF PROVISIONS AND NONAPPLICABILITY.

(a) NONSEVERABILITY.—If any provision of section 2(a)(1), 2(b)(1), or 3 or any amendment made by those sections is declared or held invalid or unenforceable by a court of competent jurisdiction, the remaining provisions of this Act or any amendment made by this Act shall be treated and deemed invalid and shall have no force or effect of law.

(b) NONAPPLICABILITY.—Nothing in the Act shall be construed to affect the first reapportionment occurring after the regular decennial census conducted for 2010 if this Act has not taken effect.

#### SEC. 8. JUDICIAL REVIEW.

If any action is brought to challenge the constitutionality of any provision of this Act or any amendment made by this Act, the following rules shall apply:

(1) The action shall be filed in the District Court of the United States for the District of Columbia and shall be heard by a 3-judge court convened pursuant to section 2284 of title 28, United States Code.

(2) A copy of the complaint shall be delivered promptly to the Clerk of the House of Representatives and the Secretary of the Senate.

(3) A final decision in the action shall be reviewable only by appeal directly to the Supreme Court of the United States. Such appeal shall be taken by the filing of a notice of appeal within 10 days, and the filing of a jurisdictional statement within 30 days, of the entry of the final decision.

(4) It shall be the duty of the District Court of the United States for the District of Columbia and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of the action and appeal.

### EXECUTIVE SESSION

#### NOMINATION OF HILDA L. SOLIS TO BE SECRETARY OF LABOR

The PRESIDING OFFICER. Under the previous order, the Senate will go into executive session and the clerk will report the nomination.

The assistant legislative clerk read the nomination of HILDA L. SOLIS, of California, to be Secretary of Labor.

The PRESIDING OFFICER. The time on this nomination will be equally divided until 4:30 p.m. today.

The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senator will suspend. The Senate will be in order. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, the business before the Senate is now the nomination of President Obama’s nominee as Secretary of Labor, U.S. Representative HILDA SOLIS.

My colleagues on the Senate HELP Committee worked together to move forward HILDA SOLIS’s nomination. I have come to the floor today to urge the full Senate to join me in supporting her confirmation so we can fill this critically important Cabinet position as soon as possible.

Today, America’s families are facing incredible challenges. They are struggling with record unemployment and a devastating economic crisis. They need and they deserve an advocate in the administration who is passionate about public service and committed to fighting for them. Representative SOLIS is that person. I want to share today a part of her HELP Committee testimony. If confirmed, HILDA SOLIS wrote that we have her solemn commitment to “work hard every day to ensure that middle-class families do not lose hope.”

I thank Representative SOLIS for her willingness to answer President Obama’s call to serve. She has been very responsive to the questions that were submitted to her by the HELP Committee. She has been a dedicated public servant, and she has an extensive public record of supporting working families. Moving forward on this nomination this afternoon will send a crucial message to working families that we understand their needs and that they are absolutely essential to our economic recovery efforts. We cannot afford to wait.

For anyone who is unfamiliar with her background, I would like to share with you a little bit about Representative SOLIS. She was born in California and grew up as one of seven children. Her mother was an immigrant from Nicaragua. Her father worked as a farmworker, a railroad worker, and a Teamsters shop steward in a battery recycling plant. He raised his family to understand that joining a union had helped them secure a place in America’s middle class. Her parents stressed values such as education and hard work, public service and commitment to family.

Even though they could not afford to go to college themselves, her mother and father sacrificed to make sure their children would reach their full potential.

With the support of her family and the help of Pell grants and student loans, HILDA SOLIS became the first in her family to graduate from college. Her sisters followed in her footsteps. One earned a Ph.D. in public health and two others became engineers. Thanks to the values she grew up with, HILDA SOLIS always worked to give back to her community. She has served as the director of the California Student Opportunity and Access Program, and as a college trustee, because she wanted to ensure that other students

could have the same opportunity she did to get a college degree.

In 1992 she expanded her service to the public arena and was elected to the California State Assembly. In 1994, she became the first Latino State senator in California. As a State lawmaker, she wrote a record 17 laws to protect victims of domestic violence. She championed worker rights. She helped small businesses, and she worked to strengthen the economy.

HILDA SOLIS's achievements and service to students, to her State, and to the U.S. House of Representatives are proof that anything is possible in America, no matter what your background is. She is an example of why we have to ensure that every child and every family has a chance to succeed. Her experience is a quintessential example of the American dream. I should add I feel a very close connection to her because her background is not that different from my own. I too am one of seven children of loving, committed parents who taught us that with hard work anything is possible in America. My family faced very tough times when I was young. When my dad developed MS, we depended on food stamps for a while. My brothers, sisters, and I all were able to go on for college because of Pell grants and student loans.

Like HILDA SOLIS, I grew up believing that everyone can succeed if we give them a fighting chance. That is part of the reason why I know she will join me in fighting day and night for our working families in our struggling economy today.

Not only is HILDA SOLIS the right choice to serve as Labor Secretary, I want to emphasize how critical it is for us to move forward and fill this Cabinet position. For the last 8 years, working families have felt like an afterthought of the previous administration. I can tell you, as chair of the Employment and Workplace Safety Committee, it is long past time for a change. I am hopeful that the Department of Labor will soon have a leader who stands ready to help the Department fulfill its very core responsibilities to America's working men and women.

For years, I have said, if you do not invest in the growth and development of America's workforce, our families, our communities and our Nation will suffer in the long run. Now, today, with the unemployment at 7.6 percent, with 3 million jobs lost over the past year, and literally thousands of more pink slips going out every month, with hundreds of thousands of new unemployment insurance claims being filed every week, workers need an advocate in the new administration who will stand up for them. They need someone who believes, as I do, that investing in them is investing in our future. They need someone who believes that their Government should work for them during the good times and help them succeed during the hard times. They need someone who will be their voice in every economic recovery discussion.

As we all work very hard to help our economy recover and grow again, I believe three things are very clear: First, we need to create new jobs and help Americans who are out of work or underemployed find employment that ensures they are able to stay in the middle class.

Secondly, we need to help low-skilled and low-earning workers get the skills they need to find family wage jobs in healthy industries, so they can become part of the middle class.

And, third, we need to make smart investments that will create jobs, increase worker training, and make us more productive and competitive in the global economy. I am confident that as Labor Secretary, HILDA SOLIS will join me in working to reach those goals.

Our working families deserve a workforce system that is innovative, that is modern, and can meet the needs of the millions of unemployed and underemployed American workers. I am confident she is committed to making the reauthorization of our Nation's workforce system a top priority of her first year.

I look forward to working with her to help ensure families can balance the competing needs of work and home by expanding job-protected leave and other family-friendly work policies.

To be fully productive, workers need to know that their employers and their Government are doing everything they can to ensure they are safe and they are healthy on the job.

Finally, I look forward to working with her to make OSHA and MSHA proactive agencies again where the health and the safety of our workers is their first priority. We have a lot of big challenges ahead of us in this country, but we also have a very big opportunity.

I know that together we can help our workers access training for 21st century careers, including the emerging green jobs we hear so much about; we can help our workers balance the needs of home and careers and help them keep safe on the job. We can work to protect their rights to organize and secure a better economic future for themselves; and, ultimately, we can help our working families improve their quality of life.

Now, more than ever, workers deserve a leader who is dedicated to seeing them succeed. I look forward to working with Secretary SOLIS and the Department to do that. I encourage all of our colleagues to support this critical nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. ENZI. Mr. President, I want to follow the comments of the Senator from Washington, being the ranking member on the committee that worked on this nomination. I thank Senator KENNEDY, Senator MURRAY, and other Senators on the committee for their help, cooperation, and due diligence on this matter.

I would be remiss if I did not thank Secretary Elaine Chao for the effort she put in during the time she was in office. I would mention that she made some of the first changes to OSHA and we made the first change in MSHA in 28 years while she was in office. It was a very bipartisan effort that we made, worked on both sides of the aisle, and done in 6 weeks, which is a record time for any of the committees around here to go through the regular process. There are other things we need to do in both OSHA and MSHA. I hope we have a chance to work on that.

I am here today to discuss the nomination of Representative HILDA SOLIS to serve as Secretary of Labor. This nomination followed regular order and worked through the committee process. Carefully reviewing nominations for Cabinet positions through the regular order is critical to fulfilling our constitutional advice and consent obligations.

As Senators, one of our most important responsibilities is confirming qualified and hopefully superior nominees to lead our executive agencies. In order to fulfill our responsibilities under the advice and consent clause properly, we have developed a process for vetting the President's nominees, all Presidents' nominees.

This vetting process typically includes a committee hearing, which encompasses a review of the nominee's credentials; a background check to screen for conflicts of interest, often related to financial holdings or associations with outside groups; followed by a markup and floor consideration, which is what we are doing today.

I am pleased that we are proceeding in this fashion with respect to the nominee for the Secretary of Labor. Representative SOLIS has a diverse background and a compelling personal story. Her life is one that epitomizes the American dream. Her dedication to public service is admirable, and it should serve as an example to young people everywhere.

Once confirmed, as chief Labor official, she is charged with overseeing job training programs, private pension plans, veterans employment and training issues, protecting America's workers' occupational safety and health, as well as ensuring mine safety and health, to name a very few of the things.

The Labor Secretary manages an annual budget of approximately \$53 billion and nearly 17,000 full-time employees. Unfortunately, based on my review of her background, I am concerned about a lack of management experience that is needed to meet the demands of the job, even though I recognize that it is the President's prerogative in selecting his Cabinet.

In reviewing this nomination, we followed the same due diligence and background check that we follow for all nominees in both this administration and the previous administration. Unfortunately, we were not able to act on

this nomination for over a month because the nominee had numerous errors and omissions in the documents she filed with the committee in her application, as well as the financial disclosures to the House of Representatives, going back several years, and the Office of Government Ethics.

Because of these errors, we had to reconstruct her application and her financial statements to remove the possibility of any conflict of interest. If we had not faced these paperwork problems, we probably would have been able to vote on her nomination in January.

One of the conflict of interest issues that concerns me most is Representative SOLIS's position as a treasurer, a position with fiduciary responsibilities, of a 501(c)(4), a not-for-profit lobbying firm. As an accountant and the co-author of the Sarbanes-Oxley Act, I can assure my colleagues that there is no such thing as an "honorary" treasurer of a 501(c)(4) organization that lobbies Congress. So-called "honorary" positions are reserved for board of director positions on 501(c)(3) charitable organizations but not positions with a fiduciary responsibility, such as treasurers or general counsels for 501(c)(4) groups.

I was also deeply troubled to learn that this entity has filed lobbying disclosure paperwork with the House of Representatives that shows it lobbies in support of bills that Representative SOLIS cosponsored and in which she would be involved as the top Labor official in the executive branch.

To address these concerns, I have obtained from Representative SOLIS a sworn affidavit that she has no check-writing or signing authority as treasurer for this 501(c)(4) entity, nor does she have any control over the ability to control this entity's expenditures for campaign ads. This affidavit goes a long way to showing that no conflict of interest appears to have taken place.

In addition, the entity has filed amended filings with the Federal Election Commission that do not list Representative SOLIS as being responsible for any monies going toward the campaign ads.

To avoid any future conflict of interest, I hope and expect that Speaker PELOSI will immediately amend the House ethics rules to prohibit Members of Congress from serving in a position of fiduciary responsibility for 501(c)(4) board organizations. It is a blatant conflict of interest, not allowed in the Senate, and the House of Representatives should prohibit it immediately.

Additionally, the press recently reported that there were unpaid tax liens related to Representative SOLIS's husband's small auto repair business. It now appears that all of the outstanding liens are paid, and all of them were her husband's liens. I have obtained a letter from the County of Los Angeles treasurer and tax collector verifying that the county liens have been released.

My staff also held a conference call with officials from the State of Cali-

fornia and received word that all outstanding state liens have been released. Of equal importance, I am concerned that Representative SOLIS simply failed to fully respond to a host of very basic labor policy questions posed at the committee in the hearing and in writing.

The nominee dodged legitimate questions relating to the Employee Free Choice Act, right-to-work laws, employment standards, and overtime regulations, to name a few. This is not a nomination for a judicial position where a nominee quite understandably should not be expected to respond to hypotheticals involving cases that might come before her. This is a policy post, and policy questions deserve full answers from any nominee. I am disappointed that we did not receive them, and equally disappointed that her reticence to discuss them precluded us from having a more thoughtful and necessary discussion of her views.

I was very disappointed when President Obama issued an executive order that discriminates against the 94.7 percent of the construction workers in Wyoming who are nonunion members, and 84.4 percent of construction workers nationwide. The order reverses the Bush policy of neutrality on Government contracts and instead encourages agencies to require their private contractors to engage in collective bargaining agreements on contracts of \$25 million or more. During the confirmation proceedings, I asked the nominee whether she would support the neutral Bush policy. Her response was that she had not studied it nor participated in discussions about repealing it. Now that it has been repealed, I hope she will study the issue closely and urge the administration not to further expand the executive order to smaller contracts.

I am very concerned that the administration is choosing to limit access to good construction projects at a time when construction unemployment is extremely high and a tremendous amount of taxpayer dollars is being spent on building projects. In many communities, the only construction projects bid on may well be Federal and not be restricted to 15.6 percent of construction workers who are unionized. This policy excludes many small and local contractors and also disadvantages women and minority employees who are less likely to be union members. Reserving the spoils of the stimulus bill for large unionized contractors seems to me the exact wrong policy for the current economic crisis. I hope Secretary Solis will take a careful study of these concerns and advise the administration that a neutral policy achieves the most equitable result and, even more importantly, will ensure that taxpayers get the most for their money.

Finally, I would also like to mention that prior to her hearing, Representative SOLIS and I discussed the Workforce Investment Act and how we need

to reauthorize it immediately. I have been working on that for about 4 years, and we passed it unanimously through the Senate before, and it would train 900,000 workers for higher skilled jobs. I do not understand why we cannot get it through both bodies and get it conferred and get it enacted. Instead of training people to get higher skilled jobs, we keep sending the jobs over to India and China and other places. So at a time when our economy is being challenged to create jobs that will bolster our infrastructure and our competitive edge in the 21st century, the skills of our workforce have not kept pace. We cannot afford to overlook the importance of providing lifelong access to quality education and training in our workforce. That is why I strongly believe we must renew and improve the Workforce Investment Act. Governors from States all over ask for more flexibility so they can actually use the money in that act. That is a law that would help provide American workers with the skills necessary to compete in the global economy.

I look forward to working with Representative SOLIS in her new Cabinet position as Secretary of Labor, and her staff, on this and many other labor and economic issues facing our country.

I know Members of the Senate are anxious to have a permanent Labor Secretary in place. I am too. It took longer than I would have liked to complete the necessary vetting, and, again, I wish to thank all my colleagues for their patience and help in allowing us to work through the regular order to ensure we fulfill our duties under the Constitution. Now that we have done our due diligence, we can move to have this nomination confirmed.

Mr. President, I ask unanimous consent to have printed in the RECORD the following documents: the affidavit from Representative SOLIS stating she did not have check-signing authority for American Rights at Work or control of their lobbying or campaign expenditures; and a statement from the Los Angeles County treasurer and Tax Collector's office stating that all liens relating to Representative SOLIS' husband's small business have been released.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### DECLARATION OF HILDA SOLIS

1. My name is Hilda Solis.
2. From 2004 to 2007 I served as a board member and the treasurer of the nonprofit organization American Rights at Work (ARW).
3. At no time did I have authority to sign checks or make expenditures on behalf of ARW.
4. At no time did I control or have the ability to control ARW's lobbying or campaign expenditures.

I declare under penalty of perjury that the foregoing is true and correct. Executed on February \_\_\_\_, 2009, in Washington, DC.

COUNTY OF LOS ANGELES,  
TREASURER AND TAX COLLECTOR,  
Los Angeles, CA, February 10, 2009.

TO WHOM IT MAY CONCERN: A search of our records reveals that all unsecured property taxes due as of February 10, 2009, have been paid in full and the associated liens filed in connection with the following names have been released:

Sams Fore Lessee  
Sayyad, Sam  
Sayyad, Sam DBA Sam's Auto Center

There were no liens filed by the Tax Collector under Sam's Foreign and Domestic Auto.

Should you need any further information, please contact me directly at (213) 893-7968.

Very truly yours,

MARK J. SALADINO,  
Treasurer and Tax  
Collector.

KATHY WATERS,  
Operations Chief, Revenue and Enforcement Division.

Mr. ENZI. I thank the Presiding Officer and I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I would like to speak 6 or 7 minutes as in morning business, but I also would like to ask—if there is nobody on the other side of the aisle who would intervene—if I could have another 15 minutes after this time. I do not wish to take advantage of anything, but if they do not know of any other people from the Democratic Party who wish to speak, I would like to speak longer. But right now I ask unanimous consent for 6 or 7 minutes.

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

The Senator from Iowa.

Mr. GRASSLEY. I forget. This is for my first 5 or 6 minutes?

The PRESIDING OFFICER. The Senator from Iowa is correct.

Mr. GRASSLEY. I thank the Chair.

(The remarks of Mr. GRASSLEY are printed in today's RECORD under "Morning Business.")

Mr. GRASSLEY. Now, Mr. President, if I could proceed to that other speech. If there are people from the other party, from the majority party, who come to the Chamber, I will be glad to yield the floor at the time of their appearance.

(The remarks of Mr. GRASSLEY pertaining to the introduction of S. 458 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

#### RECESS

Mr. GRASSLEY. Mr. President, I ask unanimous consent the Senate stand in recess under the previous order.

There being no objection, the Senate, at 12:28 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

The PRESIDING OFFICER. The Senator from Washington is recognized.

#### NOMINATION OF HILDA L. SOLIS, OF CALIFORNIA, TO BE SECRETARY OF LABOR—Continued

Mrs. MURRAY. Mr. President, we are on the Solis nomination this afternoon.

I ask unanimous consent that the following Senators on our side be recognized to speak: Senator MENENDEZ for 10 minutes, Senator SANDERS for 15 minutes, Senator DODD for 15 minutes, and Senator BOXER for 10 minutes.

The PRESIDING OFFICER. To speak in that order?

Mrs. MURRAY. No. These Senators requested that time, and we will go back and forth in the usual fashion.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, I rise today to give my strong support to President Obama's choice to lead the Department of Labor.

It is hard to stress enough how urgent it is for us to have a Labor Secretary at work in the face of this economic crisis: 3.6 million Americans have lost their jobs since this recession began in December of 2007—almost 600,000 in the last month alone—workers are losing their health care, their pensions, and their life savings.

The American men and women who have been damaged the worst by the financial crisis we have had—the worst financial crisis in generations—need full unemployment benefits to carry their families through this period of transition and the benefit of job training to be able to meet the challenges of the 21st century economy.

Those who still have a job to go to every day need a champion for their rights and their safety. As the American people struggle through these difficult economic times, it is more important than ever to have a fully functioning and fully staffed Department of Labor.

At this moment, we need a Secretary of Labor who believes workers should not be intimidated when they try to organize. We need a Secretary of Labor who believes that after decades of stagnation, it is time for wages to rise. We need a Secretary of Labor who believes it is not acceptable for women to make 78 cents for every dollar a man earns, for African Americans to earn 80 cents and Latinos to earn 68 cents for every dollar their white counterparts earn.

Some will argue that a recession is an inconvenient time to pay workers a fair wage or to protect them from exposure to dangerous chemicals because the economy will suffer under the weight of additional benefits or rights for employees. We need a Secretary who understands how false that argument is.

For 8 years, we have seen administration policies punish workers for their efforts and treat their rights in a way that ultimately can't sustain their hopes, dreams, aspirations, and their families.

The Bush administration virtually gutted the Department of Labor, drastically cutting its budget, choosing instead to trust CEOs and big business to look after the welfare of workers. In 8 years, the Department issued only one worker safety rule on its own accord. While the Department was neglecting to address safety in the workplace, it focused its attention on helping corporate interests weaken the rules for overtime compensation. After 8 years, we have seen who actually benefits from these policies: No one.

We now know that being pro-labor is pro-economic growth. We know a rising tide of wages can lift the ships of business as well, as American workers are also the customers who purchase our products and services. It is time we acted on a clear principle: An economy that works is an economy that works for everyone.

I can think of no one better to take up the challenge than HILDA SOLIS. She has the best interests of American workers in her heart and her blood. She is the daughter of union workers, the first in her family to go to college. I had the privilege of serving with her in the House of Representatives. She has served the people of southern California in Congress for 8 years, not just advocating for their rights but for recovery, not just expanded help for workers but creating jobs to expand the workforce. She knows that with the right investments, we will fuel the creation of millions of green jobs, bring down energy costs and end our dependence on foreign oil.

She has won friends on both sides of the aisle, and even when they don't agree with her on every issue, they cannot help but respect her work ethic, her intelligence, and her integrity. I know very much so that she is eminently capable to lead the Department of Labor. Also people throughout the country cannot help but admire history in the making. HILDA SOLIS would be the first Latina to hold the position of Secretary in a President's Cabinet. That is incredibly powerful for young Latinas across this country, a growing part of America's population who will look to a HILDA SOLIS and say that in fact everything is possible.

I look forward to voting to confirm her today because America's workforce and our economy cannot afford to wait.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. MARTINEZ. Mr. President, I thank the Senator from New Jersey for supporting the nomination of HILDA SOLIS to be President Obama's choice to lead the Department of Labor. I too rise in support of this nomination. Having served in a President's Cabinet myself and gone through this arduous and difficult process of confirmation, I adhere to the principle that a President should get the right to nominate his Cabinet and should have the opportunity to name the people he chooses to work with. It is, obviously, up to the

Senate to confirm and ratify those nominations but, assuming qualifications, it is something that ought to be forthcoming.

I may have some policy differences with the nominee. I am sure that, from time to time, we may look at the world a little differently. I am sure I do not endorse everything my dear friend and colleague just said about the prior 8 years punishing workers and things of that nature. But I do believe it is important that we come together to recognize a fine American. Having looked at Congresswoman SOLIS's record, and the testimony before the Health, Education, Labor and Pensions Committee, and her answers to the committee's questions, I am satisfied that she carries the qualifications and will serve the Department of Labor with great distinction as Secretary.

Congresswoman SOLIS graduated from California State Polytechnic University in Pomona and earned a Master's in Public Administration from the University of Southern California.

She worked in the White House for President Carter in the Office of Hispanic Affairs, and was later appointed as a management analyst with the Office of Management and Budget in the civil rights division.

As a member of the California State Senate back in 1996, she led a successful effort to raise the State's minimum wage from \$4.25 to \$5.75 an hour.

As U.S. Representative for California's 32nd district, she authored legislation that sought to protect and improve working conditions and the rights of farm workers, garment workers, the construction industry, janitors, State and local employees, and many others.

She authored the Green Jobs Act of 2007, an effort aimed at promoting job creation and renewable energy, which was signed into law as part of the 2007 omnibus.

I know there is a dynamic and unique relationship between the executive and legislative branches. We may not always see eye to eye on the issues. We may modify the President's proposals significantly through the committee and amendment process. But we always respect each other's positions and priorities.

Congresswoman SOLIS has demonstrated hard work and experience. Her life is an inspiration to many. In the areas of labor, health care, and the environment, she has made her mark and has done a tremendous job to highlight the issues and many problems throughout our country that urgently need attention. She has done that with competence, diligence, and tremendous determination. She will bring those same qualities to the Department of Labor as the Secretary of Labor.

I had the pleasure of working with the prior Secretary of Labor, who has a relationship with the Senate—Secretary Chao. She and I served in the Cabinet together. She served for 8 years in that role. Sometimes we faced

many challenges, and I am sure that upon her confirmation, HILDA SOLIS will serve with distinction as well. But she will also be faced with many challenges, particularly in this difficult labor environment. There is no question, with unemployment at record highs, and continuing to rise, this is the time when the Secretary of Labor will be in a position where leadership can emanate throughout this country.

I urge my colleagues to support the confirmation of Congresswoman HILDA SOLIS to be the next Secretary of Labor. She will be making history as the first Hispanic woman to serve in a President's Cabinet. I understand something about that, and I look forward to working with her in that capacity. It is a great day for America when we can see that people can rise as a result of the opportunities that this country opens up to all those who seek them.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator is recognized.

Mr. SANDERS. Mr. President, let me begin by saying that I have not supported all of President Obama's nominations, but I am on the floor today to very proudly and enthusiastically support the nomination of HILDA SOLIS to be our next Secretary of Labor.

As a former Member of the House, I have had the honor and privilege of working with Congresswoman SOLIS on a number of very important issues over the years. I consider Congresswoman SOLIS not only an outstanding Member of that body but also a very good friend.

In my view, there are very few Members of Congress who have spent as many years as she has in the fight to expand the middle class, in the fight to address the problems of poverty, in the fight to make sure all of our fellow Americans have health care as a right. I believe very strongly that HILDA SOLIS will make an excellent—excellent—Secretary of the Department of Labor.

When I left the House and moved to the Senate, I was delighted to work with Congresswoman SOLIS to create the Green Jobs Workforce Training Program. This important initiative will not only lead to the creation of decent-paying jobs all over this country but will also help us combat the scourge of global warming and our dependence on foreign oil and help us move aggressively away from fossil fuels.

Mr. President, as you well know, millions of Americans from California to the State of Vermont are caught up in the worst economic crisis this country

has faced since the Great Depression. Our people by the millions are losing their jobs. Our people are losing their homes. They are losing their health insurance. They are losing their pensions. They are losing their ability to send their kids to college. And perhaps most significantly, they are losing their hope, their belief that the American dream is still alive, that their kids will have at least a good, if not better, standard of living than our generation has.

Millions of American workers in recent years have seen their wages go down, and they are working longer hours for lower wages. During the last 8 years, some 7 million American workers have lost their health care; millions are unable to find quality childcare despite the fact that husband and wife are both working, and they just do not know what to do with their kids; and millions of Americans are wondering right now whether the dream of a college education will, in fact, be available to their kids.

What has happened over the last 8 years is, as the middle class has shrunk, poverty has increased, while the gap between the very wealthy and everybody else has grown wider. The United States of America can do better than that. Instead of seeing the middle class shrink and poverty increase, we have to see poverty go down and the middle class expand.

The American people and the workers of this country are entitled to have a Secretary of Labor who will stand with them, who will be aggressive in fighting for the rights of workers from California to Vermont. The truth is that no Secretary of Labor, no matter how great he or she may be, is going to solve all of the important problems facing our country. But what working people have a right to know is that they will have a Secretary of Labor who, in fact, understands what labor is about and is on the side of working people; a Secretary of Labor who is committed to protecting workers throughout the country from unscrupulous employers who try to steal their pay and threaten their health and safety to pad the bottom line and enrich the CEOs on top. And God only knows we have seen a lot of that over the last 8 years. For far too long, we have had a Labor Department that was more interested in protecting the actions of bad, unscrupulous employers than protecting the needs of hard-working employees. That has to change. When President Obama nominated HILDA SOLIS for Secretary of Labor, I think he sent a signal all over the country that that is going to change, that the rights of workers are going to be protected.

There is perhaps no more challenging time to be Secretary of Labor than at this very moment. The problems workers are experiencing are enormous. But, frankly, I cannot think of any person who is more up to the task at hand than HILDA SOLIS. Her character and

her work ethic are impeccable. Most of all, she will be a tireless advocate for working families throughout this country. For millions of American workers struggling to make ends meet, Congresswoman SOLIS is, indeed, a breath of fresh air.

I will be strongly supporting the Secretary of Labor nominee HILDA SOLIS, and I hope all of my colleagues will as well.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. KAUFMAN). Without objection, it is so ordered.

Mr. DODD. Mr. President, what is the business before the Senate?

The PRESIDING OFFICER. The nomination of HILDA SOLIS to be Secretary of Labor.

Mr. DODD. Mr. President, I rise this afternoon to speak on behalf of Congresswoman HILDA SOLIS to be our new Secretary of Labor. Before I begin, on behalf of all of us, regardless of which side of the proverbial aisle we sit on, I know we wish Senator TED KENNEDY the very best. He will be back in a matter of days and once again will be involved in the daily business of the Senate. Were he here at this moment, he would be adding his very strong and vibrant voice in support of this excellent nominee to be the new Secretary of Labor, HILDA SOLIS.

We all know these are tough economic times. It hardly needs to be said. The American people are living it every minute of every day. Too many are facing—within minutes or hours—the loss of a job, the loss of a home, or the total evaporation of their retirement accounts. This was showcased by one family I met over the weekend in my home State. They saved for years and years to provide their children with the opportunity to get a higher education, just to see it all wiped out in a matter of days. And with their children reaching the cusp of higher education, they are left wondering what will happen. Despite all the commitments they had made to those children and all their efforts to make sure they were financially prepared, today they find themselves in a very different position. Unemployment is rising. Incomes are stagnating, while the costs of health care and housing and education are skyrocketing. In my State, unemployment rates have risen from 4.8 percent in January of 2008 to 7.1 percent this past December. Every indication is these numbers are going to go up before they come back down again. Hopefully, they will come back down soon again.

I know this evening we are all anticipating the remarks of our new President as he addresses the joint Houses of

Congress in his first State of the Union Message. I have gotten to know President Obama well. We served together in this body. We served on two committees together, and we campaigned for the Presidency both with each other and against each other for a brief period of time. I can tell you, he is an optimistic, positive, confident President; a reflection of who we are as a people.

This evening you are going to hear, in my view, a confident, optimistic President looking ahead to our future with hope, full of the aspirations I know we all share as Americans.

But the difficult problems we have in front of us make the need to confirm a Secretary of Labor more pressing than ever. The Department of Labor enforces the laws and regulations dealing with fair wages and hours, job training, workplace safety and health standards, unemployment, and family and medical leave—each absolutely essential to a productive, healthy workforce and economy.

Unfortunately, over the last 8 years, many of us have watched the Department of Labor with some concern as its focus moved away from the protection of employees in too many cases and focused more effort on protecting employers and denying workers their right to organize.

I do not view this as the Department's role, and I know Congresswoman SOLIS does not either. It certainly was not the intention of Congress when it created the Department in 1913 and wrote in the authorizing language, and I quote:

The purpose of the Department of Labor shall be to foster, promote and develop the welfare of the wage earners of the United States, to improve their working conditions, and to advance their opportunities for profitable employment.

Let me say, as an aside, the departing Secretary of Labor, Elaine Chao, is a good friend of mine, and I have known her for a long time. Of course, her husband is our distinguished minority leader. She was, I think, the only Cabinet officer to serve all 8 years of the Bush administration.

Her job was, of course, to reflect the Bush administration's policies and judgments. I am not suggesting she disagreed with them, though I believe that from time to time she might have taken us on a different path, had she been in a position to solely decide what direction the country would go in. So when I express my disappointment over the direction of the Department of Labor over the last few years, I do not want it to reflect on the competency and the contribution Elaine made to our country.

However, looking at some of the decisions of the Department of Labor and the National Labor Relations Board under the last Administration—such as the outrageous overtime pay rules and the Kentucky River decisions that stripped tens of thousands of workers of the right to organize—I find it hard to believe they were made with the

charter in mind that I described to you.

At this moment of such wrenching economic turmoil, it is essential that the Department of Labor recommit itself to protecting the rights of workers, and we need a strong leader such as HILDA SOLIS at the helm to do that.

The Department of Labor faces many challenges, not only in correcting what, in my view, were mistaken actions taken by the Bush administration but also in advancing the cause of workers' rights. One of the most important is the administration of the Family and Medical Leave Act, which will mark its 16th anniversary this month.

Since becoming law, the Family and Medical Leave Act has helped more than 60 million Americans take time off to care for a newborn or adopted baby, to help a parent through an illness, to get better themselves, to keep an eye on their children, knowing that their job will be there when the family problem diminishes.

I cannot think of how many occasions we have watched and supported one of our colleagues here in the Senate who has missed votes and committee hearings, for days or weeks on end, to recover from an illness or care for a spouse or a child who needed their attention.

I think of my wonderful friend, the new Vice President of our country, and the Presiding Officer who spent years working with him. When tragedy struck JOE BIDEN's family at the outset of his Senate career, he spent a lot of time, as he should have, at home with his children, making sure they could get through that difficult time.

He was applauded, and properly so, by his colleagues and others. No one ever suggested that Senator JOE BIDEN should not have his job back because he had missed work to be with his family.

I remember Jake Garn, my good friend and a former chairman of the Banking Committee, who donated a kidney to one of his daughters. He spent days away from here in order to take care of that child and to get back on his feet himself. No one suggested Senator Garn of Utah had done anything but what a father should do in those circumstances. His job was never in jeopardy. His pay and his pension were not put at risk. Yet, prior to the passage of the Family and Medical Leave Act, millions of our fellow citizens struggled through similar situations every single day without the security that their jobs would be there when they came back.

As the author of the Family and Medical Leave Act 16 years ago, I take as much pride in that bill as anything I have done here in 30 years. Nothing is healthier for a family, during a time of crisis, than to be together. These families deserve to get the support and backing they need. I have worried over the past 8 years about the efforts of the Department of Labor to water down, to minimize, to create obstacles in the

path of those who seek the family and medical leave protections.

FMLA has also benefitted businesses. With lower turnover and a boost to morale, 90 percent of employers told the Department of Labor in 2000 that the Family and Medical Leave Act had a neutral or positive effect on profits. No one should be forced in a crisis to make the impossible choice between work and family. Which is why I am so excited about the prospect of Congresswoman SOLIS leading the Department of Labor. She is a forceful advocate for working families and will bring to the job a genuine understanding and passion for the issues that affect families so deeply.

I am also particularly encouraged by HILDA SOLIS's knowledge and enthusiasm for green job training. In the House of Representatives, where she served with distinction, she authored the Green Jobs Training Act, which will help train American workers for jobs in the renewable energy and energy-efficiency industries. I share her belief that the creation of good-paying, green-collar jobs is critical to both our economic and energy security.

My own State of Connecticut is home to a number of exciting green energy companies, including world leaders in the design and manufacture of hydrogen fuel cells. I know the Congresswoman will bring her experience to the creation of new programs at the Department of Labor, within the Job Corps and elsewhere, to create a new generation of professionals. These programs will be critically important to our Nation's ability to transform and reinvigorate our economy.

These are but a few of the many challenges that will face the Department of Labor in the coming days. Others include revitalizing and restoring the Occupational Safety and Health Administration, modernizing unemployment insurance, and preventing wage theft, which results in as many as 2 to 3 million workers not being paid minimum wage and millions more being denied the overtime pay that they rightly deserve.

I would like to briefly conclude these remarks by addressing some of the issues being raised by some of my friends who have been critical and may, in fact, oppose this nomination. There have been questions about Congresswoman SOLIS's responsiveness to HELP Committee inquiries and about her work in an unpaid position on the board of a nonprofit workers advocacy organization. Congresswoman SOLIS has been very forthright and candid about all those issues. She has fully answered more than 140 questions from committee members, including 121 from my colleagues on the minority side.

Congresswoman SOLIS is a highly respected public servant, an eminently qualified nominee to be Secretary of Labor, and, in my view, deserving of support from every Member of this body. In these challenging times, we

need a Secretary of Labor as soon as possible. The workers of our country need a strong leader at the Department to fight for them and to protect their rights.

HILDA SOLIS is that leader. I urge all my colleagues to support for this nomination and to vote for her when the vote occurs later this afternoon.

I yield the floor.

#### THE ECONOMY

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank the Senator from Kentucky for his leadership in the Senate. I wish to share a few remarks about where we are financially in our country and what we need to do about it.

I am very pleased the President has said he intends to ensure we eliminate the gimmicks that obfuscate the real nature of the financial crisis the country has. I think we can make some real progress on that. He would certainly have my support for that.

I also am pleased he has repeated publicly what he said to us Members of the Senate in private meetings, that he believes we have a challenge in these long-term entitlement programs. They are out of control, they are on autopilot, and they are growing at twice the rate, three or four times the rate sometimes, of inflation. That is the kind of expanding cost that cannot continue.

I believe he is sincere about that. I look forward to working with him on that. But that is down the road. Let's be honest. I wish to be honest here. I think he is correct on both these important issues, and I hope we can all work together. I would say we begin to ask when can we begin to get a containment on spending.

I would point out to my colleagues the nature of the deficit we are now facing. It is unlike anything we have ever had before. We are not hyping this. I am telling you what the facts are. This is a Congressional Budget Office chart. It shows what we have been doing. I would briefly go over it. In 2004, the deficit hit \$413 billion. That was President Bush's largest deficit to date. He was severely criticized for it. It amounted to 3.6 percent of total gross domestic product. It was the largest deficit in dollar terms since World War II, and he took a lot of heat for that. I was unhappy myself.

The next year, 2005, it dropped to \$317 billion. In 2006 it dropped to \$248 billion. In 2007 it dropped to \$161 billion, which was 1.2 percent of GDP, heading in the right direction. The next year, 2008, was the first full budget of the Democratic Congress, but President Bush was still in office at that time. He proposed last spring to spend \$150-plus billion to send out checks to everybody to make sure we did not go into an economic slowdown.

I did not think that was a good idea. I did not vote for it. Now, I think only about 15 of us voted no. But I think almost every economist now in the hear-

ings we have had in the Budget Committee showed it had almost no impact on the economy. But that one expenditure almost doubled the deficit. Then there were some other factors that went into it. It ended up at \$455 billion, the largest deficit in the history of the country. That was last September 30, when the fiscal year ended, the 2008 fiscal year. Last September 30, we had a \$455 billion deficit, the largest since World War II; I think the largest in dollar terms ever. But what about this year? You can see that chart and how long that line goes for the year we are in now, September 30, \$1.371 trillion, three times-plus the amount of money we had in a deficit in 2008, the largest deficit in history.

It only includes about \$185 billion from the stimulus package we passed. That is a historic event. It is not a little, bitty matter. That was a big event. One reason that number looks so bad—and we ought to talk about it so we can get a real picture of why 2009 looks so much worse than the other years—is because the Congressional Budget Office has the responsibility to ascertain how much money the Government is actually spending. So they score programs.

They scored the \$700 billion Wall Street bailout, the TARP money, as costing the taxpayers \$247 billion. It will probably happen over a series of years, but for some reason they decided to put it fully in 2009. Maybe that is so they can blame President Bush for it, and he deserves a lot of blame for it. He spent half of it. But they scored it all in 2009.

Then they also calculated the amount of money they believed the taxpayers will absorb as a loss from our takeover of Freddie Mac and Fannie Mae, those mortgage agencies of huge proportion that kicked off the crisis. We have been bailing them out, people have not talked about that very much, but we have been, and they score that at \$240 billion. They stick that in 2009.

They assume we will spend about \$185 billion out of the \$800 billion stimulus package we passed a few weeks ago, every penny of which went straight to the debt because we were already in debt. Every dollar we spent increased the debt. So they come out with \$1.371 trillion. That's a big deal. In 2010, they expect the deficit to be \$1.1 trillion based on current law, more than twice as big as the biggest deficit we ever had in 2008. They project by 2011 we will still have about \$134 billion unspent from the stimulus package. That plus the regular deficit will show us a deficit of \$632 billion.

There are a couple things I wish to say. One is, the President has promised to cut the deficit in half by 2013. I do not think he used the figure \$530 billion. Somebody has used that figure, perhaps. But by 2013 he promised he would cut it in half.

Well, if you cut \$1.4 trillion in half, that is \$700 billion. From the normal

operating expectations, as calculated by the Congressional Budget Office, we will have cut the deficit in half in 3 years. So that is going to happen. That is not a great promise to make, frankly. I would note the \$632 billion, other than the 2 previous years, represents the biggest deficit in the history of the Republic. So we are still a long way from having financial responsibility here.

At one of our hearings, the chairman of the Budget Committee, Senator CONRAD, produced a New York Times article. It talked about the dramatic reduction in the trade surplus that China has. That is because they are not selling as much as they were either. It was out of that surplus that China was buying so many of our debt obligations. Where does the money come from to fund this debt? Well, just like you, you have to give somebody a mortgage. They give you money; you give them a mortgage and promise to pay it back.

Well, China has been the biggest buyer, and Japan has been a big buyer. Japan is already reducing its share of Treasuries. And China inevitably will because they do not have as much money, even if they desire to buy them.

Also, some of the oil-producing countries had bought our Treasuries. Oil is \$40 a barrel this year instead of \$140 a barrel. They do not have as much money to buy them either. So I asked the witness, and the consensus was that we are in an unusually beneficial time at this moment to borrow because the world is unsure financially, and they are willing to buy American Treasuries at 1 percent or less. But that is not going to continue. So during this year we are going to have to go out on the market and find three times as many people to buy our Treasuries as we did last year. Next year, we are going to have over twice as many Treasuries for people to buy; and the next one, a record year also. We are out here getting people to buy this, and they are going to demand higher interest, particularly if they are worried—which they probably will be—that one way we are going to pay back this debt is by deflating our currency, debasing our currency, and paying back the dollars in cheaper dollars than what we borrowed. Then the people who loan us money are going to get nervous and demand higher rates. So the CBO projects a significant increase in interest rates in the outyears.

This chart I have in the Chamber I think is relevant. It gives us some idea of the omnibus bill we are going to be seeing rather soon. What we understand is that the Democratic leadership in the Congress is going to submit to us an omnibus bill to complete this fiscal year. On top of the \$800 billion we passed a couple weeks ago, they are going to propose one of the largest increases in discretionary spending in the history of the Republic.

For example, it is an 8-percent increase. This year's discretionary spend-

ing—in addition to the stimulus package we passed—is going to be an 8-percent increase. Now, those of you who know a little bit about interest rates know if you get a 7-percent return on your money, the money will double in 10 years. So I would suggest at an 8-percent rate increase, we are headed to more than doubling the discretionary spending in our country.

This is not good. President Bush was criticized, and sometimes rightly so, for excessive spending. But he did not propose an 8-percent increase in non-defense discretionary spending any year he was in office. So we could expect to see, if every year we had an 8-percent increase in discretionary spending—it goes into the baseline each year, and that is more than double what the current rate is. So within 10 years, our basic spending for all the things we do—highways, agriculture bills, Department of Justice, prisons—everything we do in America will double.

The only thing I am asking my colleagues is—and I will ask the President: I like what you are saying about confronting reckless spending. I do. But when?

I suggest with regard to this chart, maybe it will give us a little bit of an indication about the point I want to make now. Let me say something I believe to be a fact. I believe it is a fact that the \$789 billion we sent out 2 weeks ago as a stimulus package will never be saved by any actions by this Congress or this President over the next 8 years, if he stays the President for 8 years. He will not come close to doing that.

I remember a few years ago Senator JUDD GREGG, then chairman of the Budget Committee, proposed an idea to reduce Medicare spending—one of these big entitlement programs—by \$40 billion over 5 years. They worked on it for months, and they thought they could save money here, there, and otherwise, and they could save \$40 billion. We lost it on the floor. A number of Republicans voted no. I think all the Democrats voted no. We could not cut \$40 billion out of Medicare. Actually, it was not a cut. Medicare was increasing at 7 percent a year, and the reduction would have reduced the increase to about 6.5 percent a year. It would have saved \$40 billion and would have only reduced the growth from 7 percent or so to 6.5 percent or so. That is the way I remember the numbers, and we could not pass that.

So we have added last week's \$800 billion to the debt. This idea that somehow in the future we are going to all have a conference and we are going to figure out a way to get our house back in financial order, and by reducing Social Security or Medicare, is a matter that is not in reality with what I am seeing.

Now, we could do more than Senator GREGG proposed. He tried to get something he thought everybody could agree on. But we could not. I think you

could save more, but I am saying: How much are we going to be able to reduce Medicare? Not that much if we are honest with ourselves. We are not going to be able to reduce it that much. Over 20 or 30 years, any savings, any integrity we bring to that process can mount up to hundreds of billions of dollars. There is no doubt about it.

But to think we are going to wipe out what we have done already, and then to see the bill come forward with the fundamental operating legislation for our Government that will be on the floor within a matter of days, and to see that be an 8-percent increase—when the inflation rate is—what?—2 percent or less—four times the rate of inflation, this is fiscal responsibility? Give me a break. I am worried about it.

So I will say, as we go forward, we will listen to some of the President's ideas tonight. He is such a fabulous spokesman for his values. He is so articulate. He is going to have a lot of support here. He is saying some very good things. But I urge my colleagues, if you applaud those statements about financial responsibility, ending this reckless spending, ending the surge of debt, and bringing some financial accountability, we are going to have to stand up and vote. We cannot keep sending up huge discretionary spending bills. This is not a war. These bills do not include homeland security and the Department of Defense. This is the basic operating of our Government. We are going to have an 8-percent increase every year? Well, maybe we will not next year, somebody will say. Maybe we won't year 2 or 3 when we are in better shape. Well, when do you start? Are you sure we are going to be serious 2 or 3 years from now if we are not serious today? Why would we be more serious then than we are today?

Words, I have learned in this body, are less important than dollars and action that goes out the door. So let's be thinking about that. I do not want to be a recalcitrant, but I have to tell you the truth. The truth is, I am worried about where we are going. I hear words about concern over rising debt that is the largest surge in debt this country has ever seen. But I am not sure I am seeing any actions about it.

Combined—let me share this figure with you—the two bills, the omnibus spending bill we will be voting on soon and the stimulus we saw, means we will spend 80 percent more money in 2009 than in 2008. My colleagues need to know we will be spending 80 percent more money as a result of these huge spending programs we have seen this year, which includes the TARP, which includes the Freddie and Fannie bailout, and includes the stimulus package.

Those are my concerns. I hope my colleagues will at least consider the challenges we face. They are not small. They are quite large. We have never seen anything like this kind of spending. It seems they are determined to help us work through this debt spasm

we are in by borrowing record amounts of money. I am thinking we need to get away from borrowing sooner rather than later and get ourselves on a path of sound money.

I thank the Chair and yield the floor. The PRESIDING OFFICER. The Chair recognizes the Senator from California.

Mrs. BOXER. Mr. President, what is the current order?

The PRESIDING OFFICER. The nomination of HILDA SOLIS to be Secretary of Labor.

Mrs. BOXER. Thank you very much, Mr. President. I am going to speak about HILDA SOLIS, someone I know very well, and someone I am very proud of.

I could not help but hear the comments of Senator SESSIONS about this borrowing, and I do not know where Senator SESSIONS has been over the past 8 years, when we saw the debt go from \$5 trillion to \$10 trillion. And that was George Bush's program, supported by the Republicans. It went to Iraq. It went to tax cuts for the wealthiest Americans. All of a sudden, there is this newfound worry because we believe it is time the American people, who work for a living and who are struggling, get a hand out of this recession.

As we will hear tonight from our new President, he understands that there is a time to stimulate this economy and then, of course, in the long term, as we Democrats did under Bill Clinton, get back to a balanced budget.

Mr. SESSIONS. Mr. President, will the Senator from California yield?

Mrs. BOXER. In a moment.

We did it. We did it without one Republican vote. We passed the Clinton budget. I have the names of the Senators. I was fortunate enough to have a good researcher give me those. What they said when we passed that budget—we passed that budget under Bill Clinton because Al Gore, the Vice President, broke a tie. We couldn't get one Republican vote. And here is what they said, to a person: This budget is going to set us on the course of a recession. This budget is going to set us on the course of deficit spending. Guess what. They couldn't have been more wrong. That budget set us off on a course of the best economy known to humankind in peacetime—23 million new jobs and a balanced budget with a surplus. I remember looking at my children—because the debt was on the way down so fast at that time under Bill Clinton and the Democrats—and I said: What are we going to do? We can't buy Treasury bonds. There won't be any more. We won't have to borrow anymore. So it is extraordinary to me that my colleagues come up here now and they say: We can't spend this money.

Yes, it is true people are hurting. My State has over 9 percent unemployment. There are pockets, I say to my friends, of 18 percent unemployment. I think the American people know there are no panaceas here. They know it is

going to be hard. They know we may make mistakes, but they also know this: They want us to present hope to them—hope. Frankly, I wish to be associated with hope, not nope: Nope, we can't do this; nope, we can't do that; nope, it would be better not to do this. The American people—and I see what they are saying to people who ask them—are patient, and they know it is going to take some time. Yes, we may have to inject some funds into this economy because \$1 trillion was lost out of this economy due to the recession. So yes, we are, in fact, injecting hope into this economy. We will pay it back. We will get back onto a balanced budget. We will do it in time, and we will do it responsibly.

I am happy to yield to my friend without losing my right to the floor.

Mr. SESSIONS. Mr. President, I thank the Senator from California for allowing me to interrupt. Most Senators, a lot of times, don't like to do that. She is a good advocate on the floor.

I would just say that we need to get away from the political situation. As I showed in my chart, I would note to the Senator, the Bush administration had the largest debt since World War II in 2004 and was rightly criticized for that. After going down for 3 years, when we sent out the checks last year, it jumped to \$455 billion, and we got not much for it. This is \$1.3 trillion this year, \$1 trillion the next year, \$632 billion the next year, according to the Congressional Budget Office scoring. So I think this is a quantum leap higher than the deficits we saw in previous years.

I know we are in a difficult time. I would just say I hope my colleagues will share President Obama's commitment to deal with the long-term structural problems we have. He is correct on that. He has a commitment to quit using gimmicks, which we have been using in the Senate too often to mask how big the deficit is. Those are good steps, but sooner or later we are going to need to reduce spending.

I thank the Chair.

Mrs. BOXER. Mr. President, I will take that as a question: Do I support President Obama's commitment to wrap his arms around the deficit and to do it with us, Republicans and Democrats? You bet I do, because I did it before under Bill Clinton. Unfortunately, then, we couldn't get one Republican vote. I praise my friend for showing the deficits under George Bush. I do. But I have to simply say—and this is a fact, this is a proven fact—that we didn't hear much from that side of the aisle when we had an open checkbook for Iraq. In fact, we didn't hear anything. They kept it open. We didn't hear much when they kept giving tax breaks to people who earn over \$1 million, and that is what got us into this fix.

Right now, as a temporary measure, yes, we are going to have to spend some. As I know President Obama will lay out tonight, he wants to jolt and

jump-start this economy. We are going to do it.

I am so proud we were able to reach across party lines in this Senate and get three Republicans to join us. I am so pleased that in my home State, we got six Republicans to join the Democrats and pass a budget there because when I went home—I went to Sacramento, our capital, and they were in deadlock. I think one of the things that helped me and others make the case was that we had to put party aside. We had to put ideology aside. We had to put egos aside. We did it with the stimulus bill because we only had three options there and they only had three options for the budget in California.

One option is do nothing and be the party of nope instead of the party of hope. Do nothing. Do nothing. Well, when you do nothing, that is not a passive act. Doing nothing is, it seems to me, a hostile act. It is a hostile act on the working families of this country and of my State. So doing nothing, I believe, is irresponsible.

Now, the other thing one could say in light of the stimulus or a budget one doesn't like is: I want to do it my way. My way or the highway. Here is my bill. I have written it. It is great. I have the perfect solution. Well, clearly, I am going to be able to write the perfect bill for me. My friend from Delaware can write the perfect bill for him. My friend from Georgia, I know he can write the perfect bill for Georgia. They love him there, and he would reflect everything they want. But at the end of the day, it doesn't work that way. That is also saying nope.

So the only answer, it seems to me—the only answer—is for us to compromise. That is what we did on the stimulus. That is what my State Republicans did, six of them.

By the way, they got censured by the party in my State. I just can't believe it. I just can't believe it. There was anger because they said they would never raise taxes and they signed a pledge. Well, you have to understand we are in uncharted waters with this downturn. There are hundreds of thousands of jobs lost every month. We all want to keep our pledges, but once in a while you have to look inside yourself and say: How can I help the people of my State?

So I say to those Republicans here who helped us, I say to the Republicans at home in the State of California who helped us: Thank you, thank you, thank you. Because there are moments when we do have to take a risk in life for the greater good.

I am looking forward to hearing the President tonight because I think what he is going to do—because I have watched him—he is going to give us an honest assessment of where we are as a nation. He is not going to sugarcoat where we are. He is going to tell it like it is, but then he is going to offer hope. He has a lot to say on that because we did get that first piece of the economic recovery bill through, the stimulus

bill—very important. I think he is going to show us through the housing plan he has that it is going to help ordinary people. My friend from Georgia is here, and he worked so hard to get a tax credit in the stimulus bill for new home purchases. These are the kinds of things we need to embrace, regardless of political party. I certainly embrace it.

Then he will talk about the banks. Speaking just for myself, I don't want to nationalize a bank. I really do not. If you go back to the Great Depression—I am reading a good book called "The Defining Moment: FDR's Hundred Days." There was a big move not by the President but by a lot of people to nationalize the banks, and FDR said: No, we shouldn't be running the banks. So I am very hopeful that we will be able to do some things by converting preferred stock to common stock, to help get these banks on their feet and doing what they need to do, which is to lend.

I have spent some time talking about our current situation, and needless to say, what we have seen in the past 8 years or so—and especially the past few years—is we have seen a real decline in the quality of life of our working families. Their voices have not been heard enough. That creates an imbalance in our lives.

Everybody talks about the powerful unions. The unions that represent working men and women are representing fewer and fewer, and the voices of working men and women have gotten softer and softer. I think President Obama understands this, and he has given us a voice for working men and women in selecting Congresswoman HILDA SOLIS to be the Secretary of Labor.

I wish to say to my friends who may not know HILDA as I know her—she is from my State and is an ally and a friend—she is one of the best people you will ever meet. She is one of the most humble people you are ever going to meet. She is one of the most intelligent people. She has knowledge of politics and how to get things done. She knows how to reach out to people who don't agree with her. She has a strong understanding of the struggles of working families because she has seen it in her district in California.

Jobs lost since the beginning of the recession in December of 2007: 3.6 million. Jobs lost in the last 3 months: 1.8 million. The nationwide unemployment rate is at 7.6 percent. In my State, it is 9.3 percent. Long-term unemployed Americans: 2.6 million. That is why the stimulus was so important—to give them a little extra help getting through this nightmare. Underemployed Americans—that means Americans who are working at jobs for which they are overqualified—7.8 million Americans are working at jobs for which they are overqualified. So we can see this is not a recession that is just hitting a few pockets of America; it is hitting hard and it is hitting deep.

Throughout her entire career, Congresswoman SOLIS has been a forceful advocate for working men and women in California and throughout the Nation.

She was born and raised in the San Gabriel Valley in southern California. She was instilled with the values of hard work. Her father emigrated from Mexico, and he worked as a Teamsters shop steward. Her mother came to the United States from Nicaragua and worked at a local factory.

She was the very first Latina elected to the California State senate. She led efforts there to pass a much needed increase in California's minimum wage. I can tell my colleagues this because I worked closely with her on this issue.

In the 1990s, when she discovered that toxic sites were disproportionately located near minority and low-income neighborhoods, she wrote an environmental justice law to guarantee protections for those communities. For her dedication to this cause, she became the first woman ever honored with the John F. Kennedy Profile in Courage Award.

She was elected to represent California's 32nd congressional district in the year 2000. I have worked with her very closely on many environmental issues, on worker issues, and it is a delight to work with her. I have worked with her on veterans issues. Before she got tapped to be Secretary of Labor, HILDA and I sat next to each other on the plane, and she was telling me about an event she had where she holds a fair for the veterans in her community, in her district, and she brings together all of the various entities in the Federal Government that could help those veterans. This is a woman with a heart of gold.

So I am confident that HILDA SOLIS will turn the many challenges we face into new opportunities for the American people. As Secretary, she will continue to promote policies that will invigorate our economy, protect our jobs, retrain our workforce. She will work for a sustainable energy future, which is going to mean lots of jobs and new technologies. She will ensure safe working conditions. She will enforce fairly the wage and hour laws we have on the books. We don't need more laws on the books; we have laws on the books for wage and hour. She will protect against worker discrimination. She will strengthen the middle class. Yet I think in her way she will make the case that people in the workplace should have a right to be represented. She will argue that. She also plans to improve skills development and job search assistance for unemployed workers and create new career opportunities for at-risk youth and our military heroes, as I mentioned.

I am so thrilled she was picked for this job. I was very surprised because I had no clue President Obama was going to tap her. But when he did, I said to my family that this is a great choice. I think as Members of the Senate from

both sides of the aisle get to know HILDA, they will soon trust HILDA. They will know they can talk to her about any subject, that she will listen, and that she will understand their point of view. After all, this is a woman who has been in elected office and she understands, as we all do, that there are differing viewpoints. She is not going to come in there and say: It is my way or the highway, Senator, so don't bother explaining to me. She will work with Senators. I know it because I have worked with her.

If anybody needed a personal recommendation for HILDA SOLIS today, I hope they will trust me because you know me, and I don't stand up for every nominee, but I am so proud to stand for this one. I urge each and every one of my colleagues—Republicans, Democrats, Independents—to please support her nomination.

I thank my friend from Georgia, who I know has been waiting. I yield the floor.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The Senator from Georgia is recognized.

Mr. ISAKSON. Mr. President, I rise to discuss the nomination of HILDA SOLIS to be Secretary of Labor. I do so as a Senator whose responsibility, constitutionally, it is to advise and consent on the nominees of the President. I also do so as ranking member of the subcommittee of the Health, Education, Labor, and Pensions Committee dealing with occupational safety. I will vote to confirm Ms. SOLIS this afternoon, after a great deal of study, after a lot of interaction, and a lot of direct conversations over issues about which Ms. SOLIS and I have different points of view.

President Obama was elected, and it is his right to choose a Cabinet. It is the Senate's responsibility to give advice and consent on those nominees. After the due diligence and the process this nominee has gone through, making sure she was properly vetted, it is my belief that she is worthy of the appointment of Secretary of Labor of the United States of America. I am going to cast that vote because I will expect, as ranking member of the occupational safety subcommittee, the same type of conversation from the Secretary as we deal with some of the contentious issues we both know lie before us in the months and years ahead.

One is card check. I am adamantly opposed to card check. I believe the right to a secret ballot is a fundamental right—not only at the ballot box in November but as to the question of whether you were organized and unionized in work. I know that when labor unions were formed and labor legislation was originally passed, it was the union movement that sought to ensure a secret ballot on behalf of the workers to make sure there was no intimidation from the company. That has served us well in this country for over 90 years and will continue to serve us for many years ahead. I know Ms.

SOLIS differs on that, but I hope when the issue comes before us, she will be as respectful in the arguments and debates we will bring forward as she will of her own opinion in that regard.

Secondly, as a Senator from the South and from the great State of Georgia, I am very proud of the right to work statutes of our State. It has served us well, as it has a number of States in this country that are right to work States. Those are States where an awful lot of manufacturing has come and been born, and even in difficult times today new manufacturing entities are coming to States, such as the Kia plant coming to La Grange, GA. I know Ms. SOLIS was at least equivocal in her response as to whether she supported the right to work status for States. I stand on the floor today and say unequivocally that I support them, and I support my State of Georgia and the right to work of all of its workers.

With those points made, Ms. SOLIS's reputation and record and the handling of her personal responsibilities, such as her taxes and her responsibilities in the House, all pass muster in terms of the Committee, and I will vote in favor of her confirmation when the vote comes before us.

#### DIFFICULT TIMES

Mr. President, we are in difficult times. Tonight the President will speak to all of us. I look forward to those remarks with great anticipation.

I told the President, when he appeared before our caucus just 3 weeks ago for lunch, that every night I pray for his success. And I do. Our people are in difficult times. We have difficult economic circumstances. It is imperative that we move forward together as Members of the House and Senate and the executive branch to find solutions to the challenges before us.

Similar to most Members of the Senate, I have a few suggestions. I wish to offer four of them today as we lead up to the discussion tonight and the debate that will follow.

Some of the economic difficulties in the United States are self-inflicted by our own regulatory agencies. In particular, there are two areas I wish to discuss. First is the SEC. Last fall when the markets began to cascade down on Wall Street and when the financial stocks took their initial hit and the subsequent tumble, it was because of short sellers rushing to the market and shorting financial stocks and accelerating the decline of those values. I called Chris Cox, then the SEC Commissioner, and begged him to please implement the uptick rule, which would stop the short selling on the downside and protect the value of those equities.

Fortunately, they did declare a moratorium for 27 days and stopped the short selling and things stabilized. Unfortunately, when that 27 days was over, they reinstated the former rule, short selling accelerated, and financial stocks deteriorated so that now they

are 85 to 90 percent below their value of 18 to 24 months ago. It is imperative the SEC reinstitute the uptick rule to ensure we don't have people coming into the marketplace and taking advantage of difficulties and suppressing the values of equities even greater than the market might otherwise dictate.

Secondly, there has been a lot of speeches made on the floor about mark to market, and I will make one now. I am going to use specific examples to show you how the imposition of mark to market is hurting our financial institutions desperately, and it is disproportionately penalizing the people we serve.

Mark to market basically takes the position that on any given day you are going to mark your assets based on their value of that day. Given the clients we have seen in mortgage-backed securities and real estate, marking to market has caused a tremendous decline in the asset side of the ledger while liabilities continued to grow, which has caused capital problems in the banking system and exacerbated the financial problems we have today. In fact, mark to market should not be an arbitrary and capricious writedown to zero but, rather, should be a recognition of the transition of values in a down market or in an up market.

The Senate, in 2005, in dealing with the pension crisis and defined benefit programs in America, asked businesses to come in one year and replenish retirement funds because the decline in the stocks was unrealistic. So we passed legislation that provided for a smoothing, meaning we amortized over years 3, 4, 5 or 6 the amount of money a pension fund was short, to give a company the ability to invest capital in the fund to restore it but not to deplete all the capital the company had to operate.

Today, what is happening in our financial institutions, when the FDIC comes in and says you are going to mark to market, and this real estate asset that might have been worth \$20 million 2 years ago is worth \$6 million today, you are going to take a \$14 million hit on the asset side when, in fact, over time that asset might have brought 15, 16, 17, 18 or maybe the original 20 percent because most real estate is absorbed over time and not in one fell swoop. It is very important our financial institutions be able to recognize value in a realistic environment. Some will tell you we don't want to do what Japan did—and we don't. Japan, in the 1990s, bought a lot of real estate and put it on the books at what they paid for it. As values declined, they didn't change the values in the books, and finally when they recognized them, they were underwater.

That was an unrealistic approach. Equally unrealistic is today's approach of taking today's economy and saying: Well, because you cannot sell it for X today, that as its value went over time, we could smooth or amortize and approach it realistically. What is hap-

pening over and over again, mark to market is causing banks to do things that compound the things we are facing in the Senate and in the House and in our country.

Last December, this body passed the ability for banks to carry back losses against profitable years, pull back some of the money they paid in taxes and provide liquidity. Because of that advantage, which we did for the right reasons, a number of banks took real estate assets in December of last year and wrote them off, even though they were performing, so they could take the loss carryback against income in better years. But now they are coming against the properties as a nonperforming asset and marking it to market in order to call the loan, with nobody out there willing to take them out. The unintended consequences of mark to market and the loss carryback that this Congress passed made it almost impossible for the commercial real estate industry and the development industry and the single-family real estate industry to compete in the United States today.

So my suggestion is to install the uptick rule; second, stop the ridiculous nature of mark to market from absolute to absolute, and put in a mechanism of amortization or smoothing so the absorption of those assets over time is more reflective of reality and less of the dire straits we find ourselves in today.

Third—and I appreciate very much the Senator from California mentioning the housing tax credit—I am very pleased that in the stimulus bill that passed, the credit is now \$8,000 rather than \$7,500. I am glad it is not repayable now but, in fact, is an actual credit. I am sorry it was means tested and limited to incomes of \$75,000 or \$150,000, and I am sorry it was only for first-time home buyers.

I believe that until we fix housing, we can fix nothing else. We must fix housing first, and we must have an incentive and a reason for those people to return to the marketplace and begin to absorb the houses that become vacant because of foreclosure, transfer or because of default.

So I hope we will continue to work on catalytic agents to inspire the consumers to come back to the marketplace and buy. That is essential. I think the tax credit of \$15,000 for the purchase of any home by a family that occupies that home for 3 years is good for America, good for a business, and it is a small price to pay for what it will bring. CBO estimates its cost at \$34.8 billion. They also estimate it would create 700,000 sales and 587,000 jobs in 1 day. That is no bad payback when you consider we have thrown billions after billions at the banking system and the stimulus system.

Lastly—and I know the President will talk about mortgages today—I listened to his remarks last week and am encouraged by some of the things he said. I think there are some things we

can do in terms of financing that can help us with our problem.

No. 1, we do have to get back to sound underwriting. The President's proposals of a threshold of 31 percent debt service to gross monthly income illustrated that the President sees to it that we have fundamentals of qualifications under loans that are made, and I commend him for that.

Secondly, I also recognize the fact that we can refinance loans that are in difficulty today at lower interest rates, amortize them over 30 years, and, in fact, save people from foreclosure. Some we cannot save, but some we can, and I am for that. But we have to remember, just as 1 in 10 houses in America is in default, 9 out of 10 are performing. To those people who are performing, who are making their payments, who are living by the rules, who are doing what is right, the same type of refinance opportunities ought to be available to them as are available to someone who is in trouble.

I fully believe if we would direct Fannie Mae to issue debt with the full faith and credit of the United States of America behind it, we could generate a pool of resources to make loans for less than 5 percent on a 30-year basis in the United States of America, loans that many people who are in trouble could actually find they could work their way through because it would lessen their monthly payment. But to those who are paying their payments but have rates of 5½, 6, 7½, 8 percent, give them the same opportunity to reduce the cost of their debt service. Just because they are performing does not mean they should be penalized in a time in which we have 10 percent non-performance.

I stand here today on the floor of the Senate willing and able anytime, anyplace, anywhere to work with the President and work with the Members of this Congress to address the fundamentals of our economy and the fundamental problems we face.

It is my sincere hope the SEC will take another look at the uptick rule and establish it. I think it will be an advantage to the market, advantageous to investors, and I think it will stop an egregiously bad process.

Second, on mark to market, I don't want us to go the route of Japan, but I want us to go the route we went in this body in 2005 on pensions and let's smooth and amortize those obligations without catastrophic writedowns of assets which only cause difficulty in the financial community.

Third, let's do fix housing first, and let's make sure we have a tax credit that is meaningful, available across the board, fosters home ownership, restores our marketplace, creates the 700,000 sales we need, and the 587,000 jobs we so desperately want.

Lastly, as we make available creative financing and inexpensive financing for those in trouble to work their way out of a difficult mortgage, let's not forget those who are playing by the

rules, the 9 out of 10 who are making the payments. Let's make sure we make the same thing available to them so the rates at which they can refinance are equally competitive and as beneficial.

Mr. President, I yield back the remainder of my time. 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. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak for 3 minutes.

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

Mr. ALEXANDER. Mr. President, I simply wish to congratulate the Senator from Georgia for his leadership on housing. He has consistently, since he arrived in the Senate 6 years ago, been the Senate's foremost spokesman for housing, and we badly need it today. Housing helped us get into the economic mess we are in in the country, and housing will help us get out of the economic mess.

As the Senator from Georgia has so succinctly said, there are a number of things we can do to keep us from going further down the hole and to help people who are in trouble and cannot pay their bills. But we want to get out of the hole, and the way we get out of the hole is to give people who are credit-worthy and have money the opportunity to buy a home. The Isakson amendment, as originally passed by the Senate, provided a \$15,000 tax credit and would do that. It would create demand.

The idea of low-interest mortgage rates which Republicans have offered to give millions of creditworthy Americans, for the next year, an opportunity to have a low-interest mortgage to buy a home or refinance their home would help us get out of the housing hole. We are all in favor of helping those people who are hurting, but that is not going to end the economic crisis. We want to climb out of this economic mess, and the way to get out of it is to get out of the housing hole we are in. The way to do that is through the Isakson amendment that creates a \$15,000 tax credit for homebuyers and to provide a low mortgage interest rate.

I thank the Senator for his eloquence and his persistence. I hope more and more Members on both sides of the aisle and this country will hear his call to fix housing first.

I yield the floor.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mr. KENNEDY. Mr. President, I am pleased and proud that the Senate today is taking up the nomination of HILDA SOLIS for Secretary of Labor.

Representative SOLIS is an extraordinary person, with an impressive background in public service. Anyone familiar with her work and her many accomplishments can attest that she is a truly inspirational leader. In the face of the current, unprecedented economic crisis, her confirmation to this important position is especially significant.

Each day, the headlines contain troubling new economic reports. Americans lost 3 million jobs last year. Mr. President, 2.6 million have been looking for work for more than 6 months, 2.3 million have lost their homes, 31 million rely on food stamps to put food on the table.

But this economic crisis is not just about numbers on a page or a lead story on the evening news. It is about what is happening to millions of working families. They are enduring tremendous hardships, and they know their friends and neighbors are suffering as well. The recovery bill passed under President Obama's leadership is a significant step in the right direction, but we still have an enormous challenge ahead of us.

To rebuild our economy, we must restore security for working people. They need to know that they can get up and go to work in the morning without worrying about a pink slip, that they will earn a fair day's pay for a fair day's work so they can support their families, and that they can provide a better future for their children and a secure retirement for themselves.

Most of all, they want leaders in government who understand how important these basic necessities are. That is why HILDA SOLIS is the right choice for Secretary of Labor.

Representative SOLIS is from a hard-working American family. Her father was a farmworker, a railroad worker, and a laborer in a battery recycling plant. Her mother worked for 22 years on the assembly line in a toy factory. She watched her parents sacrifice all their lives to build a better future for her and their other children. Because of their struggles, HILDA became the first person in her family to go to college.

HILDA SOLIS knows from deeply personal experience the challenges that American families face, because she has lived these challenges herself. And she has brought the lessons she learned from those years to her career in public service.

Since her earliest days in public life, HILDA has put working families first. Whether it's fighting to keep toxic waste out of poor communities, championing legislation to protect victims of domestic violence, or leading efforts to train our workforce for the "green collar" jobs of the 21st century, she has never turned away from a challenge. She has never hesitated to stand up for what is right.

In 2000, she became the first woman to receive the Profile in Courage Award for her remarkable work as a California State senator. The award is

given each year to those people who have demonstrated the political courage that President Kennedy so admired, and HILDA SOLIS exemplifies these outstanding qualities. As I said at the time she received the award, "The extraordinary successes of Hilda Solis as a member of the California legislature show the power of one person with vision, ability, dedication, and courage to overcome even the most powerful forces of oppression and resistance."

Now, again, HILDA has powerful forces to overcome, and tremendous challenges ahead. I have every confidence that she is the right person for the job. She is exactly who we need at the helm of such an important agency at this critical time for our country.

America's workers are the best in the world, and they deserve our best efforts to help them through these difficult times. And they deserve to have the best possible advocate on their side. Today, we will do them a great service by confirming HILDA SOLIS.

She is a true hero for working families, and we are fortunate to have someone of her tremendous talents at the Department. I look forward to working closely with our new Secretary of Labor to tackle the immense challenges facing America's workers, and to bring job security and real opportunity for all Americans.●

Mrs. FEINSTEIN. Mr. President, I rise today to support the nomination of my fellow Californian, Representative HILDA SOLIS, to be the next Secretary of Labor.

President Obama has selected Representative SOLIS to serve in his Cabinet because she is an experienced, committed, and effective public servant.

Representative SOLIS has dedicated her life to public service and to improving the lives of those in her community.

As the daughter of immigrants, Representative SOLIS epitomizes the possibilities of the American dream. Her parents worked hard to ensure that she and her siblings could attain all that this country has to offer, and this nomination is proof that, in this country, anything is possible.

Representative SOLIS was the first member of her family to attend college and in 1979 earned her undergraduate degree in Political Science from the California State Polytechnic University, Pomona.

In 1981, she completed a master's degree in public administration at the University of Southern California. Her career in public service started in President Carter's administration, where she served as the Editor-in-Chief of Publications in the Office of Hispanic Affairs.

After returning to California, she ran for office and was elected to the Rio Hondo Community College Board in 1985.

In 1992, Representative SOLIS was elected to the State Assembly, and 2 years later became the first Hispanic

woman to serve in the California State Senate.

As the Chairwoman of the powerful California State Senate Industrial Relations Committee, she was instrumental in the successful battle to increase the state minimum wage.

She has also been a tireless fighter for environmental justice. In 1999, despite strong opposition from industry groups, legislation that she authored was enacted to protect disadvantaged communities from the environmental toxins and pollutants that are disproportionately located in such areas.

Her effort earned her the Profile in Courage Award from the John F. Kennedy Library Foundation in 2000, the same year she was elected to the House of Representatives.

In Congress, Representative SOLIS has demonstrated her commitment to expanding opportunities for job training, which is essential for our economic recovery.

She truly understands the potential of clean energy and solar power to propel the economy of the 21st century. To this end, Representative SOLIS authored legislation to provide more than \$100 million for "green collar" jobs training and has been a pioneer in this arena.

Representative SOLIS is a woman of common sense and, I believe, sound judgment.

She understands that the Secretary of Labor must be responsive to the voices of both management and labor. As Secretary of Labor, she will be a champion for workers across America.

Given the economic crisis our Nation confronts, I am confident that Representative SOLIS will work to promote policies that ultimately will create jobs, benefiting businesses and workers across the board.

The economic challenges we face at this moment are considerable, and the task at hand is substantial.

At a time when so many Americans are seeking jobs, it is critical that we have a Secretary of Labor who is ready to tackle these problems and be responsive to the needs of all workers.

Representative SOLIS understands the struggles that so many Americans are facing. She knows how to get things done, and she knows that there is no time to waste.

Representative SOLIS is well prepared for the task at hand, and it is time for the President to have his choice for Secretary of Labor confirmed.

I urge my colleagues to join me in confirming Representative SOLIS without further delay.

Mrs. MURRAY. Mr. President, I thank all of my colleagues for their remarks today, including the distinguished ranking member of our HELP Committee, the Senator from Wyoming, and the ranking member on my Subcommittee on Employment, the Senator from Georgia. We have all worked together on a number of issues that are important to the well-being of workers in this country, and today is

no different as we consider the nomination of HILDA SOLIS to serve as President Obama's Labor Secretary.

As a committee and as a body, we have done our due diligence in reviewing her nomination and materials. Now it is time to move forward.

Working families across the country are facing the hardest of economic downturns. Most of them have never experienced anything like this. It is affecting everyone across our country. Earlier today, we learned that about 303,570 people in my home State of Washington were unemployed and looking for work in January. That is the largest number ever in my State. That is over 303,000 families who are now wondering how they are going to be able to pay their bills or keep their house or afford health care or even save for retirement.

Workers in my State and across the country cannot afford to wait one more day for an advocate in this administration who will make their voice heard as we work to repair our country's economy. They cannot afford to wait any longer for a new leader at the agency that is responsible for unemployment insurance, job training, and placement services, protecting the health and safety of our workers on the job, and ensuring their rights in the workplace are protected. We have to have a Labor Department that can move into high gear to meet workers where they are. HILDA SOLIS stands ready to answer that call.

Before I conclude, I want to take just a minute to thank a number of people who helped us to get to this point. In addition to the distinguished ranking member on the HELP Committee, Senator ENZI, and the ranking member on our subcommittee, Senator ISAKSON, and all of their staff members, I wish to recognize and thank Senator KENNEDY who is the chairman of our Health, Education, Labor, and Pensions Committee. His dedication to America's working families is unmatched. And his staff, including Portia Wu and Lauren McFarren, have dedicated countless hours to moving this nomination forward.

I also thank Senator DODD, who chaired the HELP Committee executive session that reported Representative SOLIS out of committee, bringing us a step closer to today's confirmation.

Let me also thank my staff who have worked so hard with me: Gerri Fiala, Crystal Bridgeman, Mike Waske, Mike Spahn, and Stacy Rich. I appreciate all of their joint efforts to getting us here today.

Of course, I thank our great floor staff who worked tirelessly to help move this process forward.

Finally, I want to particularly thank Representative HILDA SOLIS for, once again, answering the call to serve. We expect the final vote on her nomination shortly. I encourage all Senators and colleagues to support her confirmation on behalf of all the working

families in our country who need a voice in Washington, DC.

Mr. President, I yield back the remainder of time and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of HILDA L. SOLIS, of California, to be Secretary of Labor?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Iowa (Mr. HARKIN) and the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

I further announce that, if present and voting, the Senator from Iowa (Mr. HARKIN) would vote "yea."

The result was announced—yeas 80, nays 17, as follows:

[Rollcall Vote No. 66 Ex.]

YEAS—80

Akaka	Feingold	McConnell
Alexander	Feinstein	Menendez
Barrasso	Gillibrand	Merkley
Baucus	Graham	Mikulski
Bayh	Grassley	Murkowski
Begich	Gregg	Murray
Bennet	Hagan	Nelson (FL)
Bennett	Hatch	Nelson (NE)
Bingaman	Hutchison	Pryor
Boxer	Inouye	Reed
Brown	Isakson	Reid
Brownback	Johanns	Rockefeller
Burr	Johnson	Sanders
Byrd	Kaufman	Schumer
Cantwell	Kerry	Shaheen
Cardin	Klobuchar	Snowe
Carper	Kohl	Specter
Casey	Landrieu	Stabenow
Chambliss	Lautenberg	Tester
Cochran	Leahy	Udall (CO)
Collins	Levin	Udall (NM)
Conrad	Lieberman	Voinovich
Corker	Lincoln	Warner
Dodd	Lugar	Webb
Dorgan	Martinez	Whitehouse
Durbin	McCain	Wyden
Enzi	McCaskill	

NAYS—17

Bond	DeMint	Sessions
Bunning	Ensign	Shelby
Burr	Inhofe	Thune
Coburn	Kyl	Vitter
Cornyn	Risch	Wicker
Crapo	Roberts	

NOT VOTING—2

Harkin	Kennedy
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The nomination was confirmed.

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. Under the previous order, the Senate will resume legislative session.

The Senator from Washington is recognized.

MORNING BUSINESS

Mrs. MURRAY. Mr. President, I ask unanimous consent to go to a period for morning business, with Senators permitted to speak for 10 minutes each.

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

AARON EILERTS DAY OF SERVICE AND GIVING

Mr. GRASSLEY. Mr. President, I wish to visit with you about voluntarism. I wish to use the example of a deceased Boy Scout as the perfect example.

Today is the day we Iowans honor the life and legacy of a young Boy Scout—a compassionate teenager who lived his life in passionate service to others. Mr. President, 14-year-old Aaron Eilerts from Eagle Grove, IA, tragically lost his own life last summer when a deadly tornado swept through Camp Little Sioux on January 11, 2008. One Iowan, Aaron, and three Nebraska boys lost their lives that evening.

Fifteen years ago today, Bob and Carol Eilerts experienced the overwhelming joy and elation that parents treasure the day their child is born. The Eilerts undoubtedly took pride in shouldering the responsibilities and sacrifices that parenthood brings. It was not long before his parents would realize their beloved son spread joy in service to others, in ways big and small, with family, friends, neighbors, the elderly, and even total strangers.

As a Boy Scout, Aaron took to heart the tenets of his organization. Through words and deeds, he upheld the Boy Scout Law, which prescribed a Scout as "trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean, and reverent." Every Boy Scout knows those words.

By all accounts, Aaron Eilerts lived and breathed the objectives of an honorable Boy Scout, which included character development, citizenship, and personal fitness. As a parent and grandparent, I can appreciate the demands placed on our youth to excel in academics, navigate social pressures, participate in extracurricular activities, and to just "be."

Similar to many young people growing up in small town Iowa, Aaron's extensive list of activities was impressive. Besides the Humboldt Boy Scout Troop 108, Aaron participated in football, cross country, track, band, choir, theater, and art. Aaron also was an agent of the CIA; that is, "Character in Action," a youth leadership character-building organization at Robert Blue Middle School. With so many irons in the fire, it is even more remarkable to consider the time and energy Aaron devoted in service to others.

Consider a few of the community service projects this industrious 14-year-old organized: hand-sewing pillowcases for pediatric patients, teachers, and others in need; making blankets for animals at the Humane Society; volunteering at the local senior center and nursing home; performing the National Anthem at local high school events; and making it a habit to do great deeds and simple acts of kindness just to make his community a better place to live.

We can honor his legacy of service by following in the footsteps of this local teenage legend. The Governor of Iowa, Chet Culver, has proclaimed today, February 24, as the first annual Aaron Eilerts Day of Service and Giving. Scores of schools and service organizations across the State of Iowa have made plans to participate. Inspired by this young man's spirit of service, thousands of school students across Iowa will seize this opportunity to make their community a better place.

Just a few of the service projects underway today include shoveling snow; sewing pillowcases to donate to hospitals, veterans facilities, and nursing homes; creating fleece tie blankets for shelters; packaging meals in a box for local food pantries; conducting food and diaper services and drives that are connected with that; and pumping gas and cleaning windshields at local service stations.

The Bible tells us in Acts 20:35:

It is more blessed to give than receive.

Many of us who contribute time, talents, and treasure in service to others often find we are the ones who are blessed by giving. If I may suggest, I believe Aaron Eilerts, if he were alive today, would agree.

Although he did not share the world stage of Mother Teresa, who devoted her life to poverty in service to others, Aaron showed his compassion for others on the stages of his hometown, from the senior centers, to hospitals, school and community events. Mother Teresa is attributed with an observation that applies so well to this young man from Eagle Grove. Mother Teresa said:

Do not wait for leaders. Do it alone, person to person.

Aaron Eilerts was a product of small-town Iowa—a small town that took pride in its community, and he took pride in his community. Eagle Grove takes pride in this young man, Aaron Eilerts, who was killed last June.

I would like to extend, again, my sincerest condolences to the family and loved ones Aaron Eilerts has preceded into God's Kingdom. I also would like to take this opportunity to extend an invitation to my fellow citizens from the other 49 States. I welcome you to join the State of Iowa, and Iowans generally, next year on February 24 to participate in the annual Aaron Eilerts Day of Service and Giving, as declared by Governor Culver of my State of Iowa.

Tragic circumstances abbreviated the life of this young Iowan with no warning and with no opportunity for second chances.

Let Aaron's life and legacy of service inspire each of us to respond in our own neighborhoods and communities to the call of service of giving.

TRIBUTE TO WILLIAM "BILL"  
RAGGIO

Mr. REID. Mr. President, I rise today to honor my longtime colleague in Nevada government, State senator William "Bill" Raggio, for his extensive record of public service and community activism.

At this year's Governor's Points of Light Award Dinner, Senator Raggio will be honored with the inaugural "Governor's Choice Award." This award, which will be formally presented by Governor Jim Gibbons on February 26, recognizes Senator Raggio for his commitment to community improvement through volunteerism and philanthropy.

A longtime resident of Nevada, Bill has been a devoted and active member of his community. As a young man during World War II, Senator Raggio served his community and his country honorably as a second lieutenant in the U.S. Marine Corps Reserve. Upon return, he graduated from the University of Nevada at Reno before pursuing a law degree.

Since that time, Bill has been a tireless advocate for the people of Nevada. He has served on the ninth Circuit U.S. Court of Appeals and also as the district attorney for Washoe County. In 1973, Bill made the jump to the State senate, where his career has flourished and continues today. He has worked in various capacities in the State's legislative body, and is currently the minority leader of the senate.

I can think of no better recipient of the "Governor's Choice Award" than Senator Raggio. His 36 years of public service and selfless sacrifice are an example of how a single person can be an overwhelming influence for good in his community. There is no doubt that his wife Dale and their children are extremely proud of him. Indeed, all Nevadans have reason to be proud of Senator Raggio.

I congratulate Senator Raggio upon receiving this tremendous honor, and wish him all the best in his future undertakings.

Mr. DURBIN. Mr. President, strong leadership at the Department of Labor is essential as the economy continues to worsen.

Workers who are struggling need leaders who have been there, who know what it is like to grow up in a working class household. HILDA SOLIS is the right person to run the most important federal agency for workers who need a helping hand. I strongly support her nomination.

Congresswoman SOLIS grew up in southern California and has for decades fought for the rights of working men and women.

While a member of the California State Senate she led the fight in 1996 to increase the State minimum wage.

Since her election to Congress in 2000, she has cochaired the bipartisan Congressional Caucus for Women's Issues and played a key role in the reauthorization of the Violence Against Women Act in 2006.

Last year she helped lead the effort to provide workforce training for "green collar" jobs.

She is also a nationally recognized leader on the environment, and for that she became the first woman to receive the John F. Kennedy Profile in Courage Award in 2000.

Congresswoman SOLIS has articulated a strong vision for the Department. She is ready to lead the Department's efforts in: training and job placement for unemployed workers; building career ladders for at-risk youth, and expanding opportunities for our military heroes returning from combat.

Over 2.6 million workers have lost their jobs since this recession began, and the end is not yet in sight.

America needs an active Department of Labor to help these workers retrain for the economy of the 21st century and find new work.

America needs HILDA SOLIS to take charge of the Labor Department and to get to work today.

I urge my colleagues to support her nomination.

COMMITTEE ON BANKING, HOUSING,  
AND URBAN AFFAIRS  
RULES OF PROCEDURE

Mr. DODD. Mr. President, I ask unanimous consent that the rules of procedure for the Committee on Banking, Housing, and Urban Affairs be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF PROCEDURE FOR THE COMMITTEE ON  
BANKING, HOUSING, AND URBAN AFFAIRS  
RULE 1. REGULAR MEETING DATE FOR  
COMMITTEE

The regular meeting day for the Committee to transact its business shall be the last Tuesday in each month that the Senate is in Session; except that if the Committee has met at any time during the month prior to the last Tuesday of the month, the regular meeting of the Committee may be canceled at the discretion of the Chairman.

RULE 2. COMMITTEE

[a] Investigations. No investigation shall be initiated by the Committee unless the Senate, or the full Committee, or the Chairman and Ranking Member have specifically authorized such investigation.

[b] Hearings. No hearing of the Committee shall be scheduled outside the District of Columbia except by agreement between the Chairman of the Committee and the Ranking Member of the Committee or by a majority vote of the Committee.

[c] Confidential testimony. No confidential testimony taken or confidential material presented at an executive session of the Committee or any report of the proceedings of such executive session shall be made public either in whole or in part or by way of summary, unless specifically authorized by the Chairman of the Committee and the Ranking Member of the Committee or by a majority vote of the Committee.

[d] Interrogation of witnesses. Committee interrogation of a witness shall be conducted only by members of the Committee or such professional staff as is authorized by the Chairman or the Ranking Member of the Committee.

[e] Prior notice of markup sessions. No session of the Committee or a Subcommittee for marking up any measure shall be held unless [1] each member of the Committee or the Subcommittee, as the case may be, has been notified in writing via electronic mail or paper mail of the date, time, and place of such session and has been furnished a copy of the measure to be considered, in a searchable electronic format, at least 3 business days prior to the commencement of such session, or [2] the Chairman of the Committee or Subcommittee determines that exigent circumstances exist requiring that the session be held sooner.

[f] Prior notice of first degree amendments. It shall not be in order for the Committee or a Subcommittee to consider any amendment in the first degree proposed to any measure under consideration by the Committee or Subcommittee unless fifty written copies of such amendment have been delivered to the office of the Committee at least 2 business days prior to the meeting. It shall be in order, without prior notice, for a Senator to offer a motion to strike a single section of any measure under consideration. Such a motion to strike a section of the measure under consideration by the Committee or Subcommittee shall not be amendable. This section may be waived by a majority of the members of the Committee or Subcommittee voting, or by agreement of the Chairman and Ranking Member. This subsection shall apply only when the conditions of subsection [e][1] have been met.

[g] Cordon rule. Whenever a bill or joint resolution repealing or amending any statute or part thereof shall be before the Committee or Subcommittee, from initial consideration in hearings through final consideration, the Clerk shall place before each member of the Committee or Subcommittee a print of the statute or the part or section thereof to be amended or repealed showing by stricken-through type, the part or parts to be omitted, and in italics, the matter proposed to be added. In addition, whenever a member of the Committee or Subcommittee offers an amendment to a bill or joint resolution under consideration, those amendments shall be presented to the Committee or Subcommittee in a like form, showing by typographical devices the effect of the proposed amendment on existing law. The requirements of this subsection may be waived when, in the opinion of the Committee or Subcommittee Chairman, it is necessary to expedite the business of the Committee or Subcommittee.

RULE 3. SUBCOMMITTEES

[a] Authorization for. A Subcommittee of the Committee may be authorized only by the action of a majority of the Committee.

[b] Membership. No member may be a member of more than three Subcommittees and no member may chair more than one Subcommittee. No member will receive assignment to a second Subcommittee until, in order of seniority, all members of the Committee have chosen assignments to one Subcommittee, and no member shall receive assignment to a third Subcommittee until, in order of seniority, all members have chosen assignments to two Subcommittees.

[c] Investigations. No investigation shall be initiated by a Subcommittee unless the Senate or the full Committee has specifically authorized such investigation.

[d] Hearings. No hearing of a Subcommittee shall be scheduled outside the District of Columbia without prior consultation with the Chairman and then only by agreement between the Chairman of the Subcommittee and the Ranking Member of the Subcommittee or by a majority vote of the Subcommittee.

[e] Confidential testimony. No confidential testimony taken or confidential material presented at an executive session of the Subcommittee or any report of the proceedings of such executive session shall be made public, either in whole or in part or by way of summary, unless specifically authorized by the Chairman of the Subcommittee and the Ranking Member of the Subcommittee, or by a majority vote of the Subcommittee.

[f] Interrogation of witnesses. Subcommittee interrogation of a witness shall be conducted only by members of the Subcommittee or such professional staff as is authorized by the Chairman or the Ranking Member of the Subcommittee.

[g] Special meetings. If at least three members of a Subcommittee desire that a special meeting of the Subcommittee be called by the Chairman of the Subcommittee, those members may file in the offices of the Committee their written request to the Chairman of the Subcommittee for that special meeting. Immediately upon the filing of the request, the Clerk of the Committee shall notify the Chairman of the Subcommittee of the filing of the request. If, within 3 calendar days after the filing of the request, the Chairman of the Subcommittee does not call the requested special meeting, to be held within 7 calendar days after the filing of the request, a majority of the members of the Subcommittee may file in the offices of the Committee their written notice that a special meeting of the Subcommittee will be held, specifying the date and hour of that special meeting. The Subcommittee shall meet on that date and hour. Immediately upon the filing of the notice, the Clerk of the Committee shall notify all members of the Subcommittee that such special meeting will be held and inform them of its date and hour. If the Chairman of the Subcommittee is not present at any regular or special meeting of the Subcommittee, the Ranking Member of the majority party on the Subcommittee who is present shall preside at that meeting.

[h] Voting. No measure or matter shall be recommended from a Subcommittee to the Committee unless a majority of the Subcommittee are actually present. The vote of the Subcommittee to recommend a measure or matter to the Committee shall require the concurrence of a majority of the members of the Subcommittee voting. On Subcommittee matters other than a vote to recommend a measure or matter to the Committee no record vote shall be taken unless a majority of the Subcommittee is actually present. Any absent member of a Subcommittee may affirmatively request that his or her vote to recommend a measure or matter to the Committee or his vote on any such other matters on which a record vote is taken, be cast by proxy. The proxy shall be in writing and shall be sufficiently clear to identify the subject matter and to inform the Subcommittee as to how the member wishes his or her vote to be recorded thereon. By written notice to the Chairman of the Subcommittee any time before the record vote on the measure or matter concerned is taken, the member may withdraw a proxy previously given. All proxies shall be kept in the files of the Committee.

#### RULE 4. WITNESSES

[a] Filing of statements. Any witness appearing before the Committee or Subcommittee [including any witness representing a Government agency] must file with the Committee or Subcommittee [24 hours preceding his or her appearance] 75 copies of his or her statement to the Committee or Subcommittee, and the statement must include a brief summary of the testimony. In the event that the witness fails to

file a written statement and brief summary in accordance with this rule, the Chairman of the Committee or Subcommittee has the discretion to deny the witness the privilege of testifying before the Committee or Subcommittee until the witness has properly complied with the rule.

[b] Length of statements. Written statements properly filed with the Committee or Subcommittee may be as lengthy as the witness desires and may contain such documents or other addenda as the witness feels is necessary to present properly his or her views to the Committee or Subcommittee. The brief summary included in the statement must be no more than 3 pages long. It shall be left to the discretion of the Chairman of the Committee or Subcommittee as to what portion of the documents presented to the Committee or Subcommittee shall be published in the printed transcript of the hearings.

[c] Ten-minute duration. Oral statements of witnesses shall be based upon their filed statements but shall be limited to 10 minutes duration. This period may be limited or extended at the discretion of the Chairman presiding at the hearings.

[d] Subpoena of witnesses. Witnesses may be subpoenaed by the Chairman of the Committee or a Subcommittee with the agreement of the Ranking Member of the Committee or Subcommittee or by a majority vote of the Committee or Subcommittee.

[e] Counsel permitted. Any witness subpoenaed by the Committee or Subcommittee to a public or executive hearing may be accompanied by counsel of his or her own choosing who shall be permitted, while the witness is testifying, to advise him or her of his or her legal rights.

[f] Expenses of witnesses. No witness shall be reimbursed for his or her appearance at a public or executive hearing before the Committee or Subcommittee unless such reimbursement is agreed to by the Chairman and Ranking Member of the Committee.

[g] Limits of questions. Questioning of a witness by members shall be limited to 5 minutes duration when 5 or more members are present and 10 minutes duration when less than 5 members are present, except that if a member is unable to finish his or her questioning in this period, he or she may be permitted further questions of the witness after all members have been given an opportunity to question the witness.

Additional opportunity to question a witness shall be limited to a duration of 5 minutes until all members have been given the opportunity of questioning the witness for a second time. This 5-minute period per member will be continued until all members have exhausted their questions of the witness.

#### RULE 5. VOTING

[a] Vote to report a measure or matter. No measure or matter shall be reported from the Committee unless a majority of the Committee is actually present. The vote of the Committee to report a measure or matter shall require the concurrence of a majority of the members of the Committee who are present.

Any absent member may affirmatively request that his or her vote to report a matter be cast by proxy. The proxy shall be sufficiently clear to identify the subject matter, and to inform the Committee as to how the member wishes his vote to be recorded thereon. By written notice to the Chairman any time before the record vote on the measure or matter concerned is taken, any member may withdraw a proxy previously given. All proxies shall be kept in the files of the Committee, along with the record of the rollcall vote of the members present and voting, as an official record of the vote on the measure or matter.

[b] Vote on matters other than to report a measure or matter. On Committee matters other than a vote to report a measure or matter, no record vote shall be taken unless a majority of the Committee are actually present. On any such other matter, a member of the Committee may request that his or her vote may be cast by proxy. The proxy shall be in writing and shall be sufficiently clear to identify the subject matter, and to inform the Committee as to how the member wishes his or her vote to be recorded thereon. By written notice to the Chairman any time before the vote on such other matter is taken, the member may withdraw a proxy previously given. All proxies relating to such other matters shall be kept in the files of the Committee.

#### RULE 6. QUORUM

No executive session of the Committee or a Subcommittee shall be called to order unless a majority of the Committee or Subcommittee, as the case may be, are actually present. Unless the Committee otherwise provides or is required by the Rules of the Senate, one member shall constitute a quorum for the receipt of evidence, the swearing in of witnesses, and the taking of testimony.

#### RULE 7. STAFF PRESENT ON DAIS

Only members and the Clerk of the Committee shall be permitted on the dais during public or executive hearings, except that a member may have one staff person accompany him or her during such public or executive hearing on the dais. If a member desires a second staff person to accompany him or her on the dais he or she must make a request to the Chairman for that purpose.

#### RULE 8. COINAGE LEGISLATION

At least 67 Senators must cosponsor any gold medal or commemorative coin bill or resolution before consideration by the Committee.

#### EXTRACTS FROM THE STANDING RULES OF THE SENATE—RULE XXV, STANDING COMMITTEES

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

[d][1] Committee on Banking, Housing, and Urban Affairs, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Banks, banking, and financial institutions.
2. Control of prices of commodities, rents, and services.
3. Deposit insurance.
4. Economic stabilization and defense production.
5. Export and foreign trade promotion.
6. Export controls.
7. Federal monetary policy, including Federal Reserve System.
8. Financial aid to commerce and industry.
9. Issuance and redemption of notes.
10. Money and credit, including currency and coinage.
11. Nursing home construction.
12. Public and private housing [including veterans' housing].
13. Renegotiation of Government contracts.
14. Urban development and urban mass transit.

[2] Such committee shall also study and review, on a comprehensive basis, matters relating to international economic policy as it affects United States monetary affairs, credit, and financial institutions; economic

growth, urban affairs, and credit, and report thereon from time to time.

COMMITTEE PROCEDURES FOR PRESIDENTIAL  
NOMINEES

Procedures formally adopted by the U.S. Senate Committee on Banking, Housing, and Urban Affairs, February 4, 1981, establish a uniform questionnaire for all Presidential nominees whose confirmation hearings come before this Committee.

In addition, the procedures establish that:

[1] A confirmation hearing shall normally be held at least 5 days after receipt of the completed questionnaire by the Committee unless waived by a majority vote of the Committee.

[2] The Committee shall vote on the confirmation not less than 24 hours after the Committee has received transcripts of the hearing unless waived by unanimous consent.

[3] All nominees routinely shall testify under oath at their confirmation hearings.

This questionnaire shall be made a part of the public record except for financial information, which shall be kept confidential.

Nominees are requested to answer all questions, and to add additional pages where necessary.

NATIONAL PEACE CORPS WEEK

Mr. BARRASSO. Mr. President, I rise today to acknowledge National Peace Corps Week and the many U.S. Peace Corps volunteers serving across the globe.

There are currently 22 U.S. Peace Corps volunteers from Wyoming who are serving around the world. These men and women have joined a unique organization of people who are willing to make a personal commitment to lend a helping hand to those in the world who are less fortunate than us.

These Americans often live and work in challenging areas as they partner with their local counterparts to aid development. Peace Corps volunteers have made significant contributions assisting people to improve health care services, create business opportunities, promote education, and develop resources.

Many people in the world today are suffering from political unrest, natural disasters, disease, and a lack of economic opportunities. I commend all the Peace Corps volunteers who leave behind the comforts of home to live in different areas of the world and work to make the world a better place.

The Peace Corps volunteers' reputation as ambassadors of good-will demonstrates the ability of individuals to make a difference in our world. As they work alongside people from different nations, these volunteers have the opportunity to represent America and the values that we hold dear. Additionally, our volunteers' knowledge of the unique challenges people face gives us insight into developing better relations with other countries. I applaud their efforts and dedication.

I would like to recognize the men and women from Wyoming who are currently serving as U.S. Peace Corps volunteers: Lisa J. Balland, serving in Uganda; Thomas P. Burian, serving in Capre Verde; Bria M. Chimenti, serving

in Tonga; Jenna M. Dillion, serving in Senegal; Heather Dixon, serving in Gambia; Seth H. Edmunds, serving in Fiji; Sagar L. Gondalia, serving in Kazakhstan; Larry R. Hanson, serving in Fiji; Daniel J. Healy, serving in Ukraine; Sarah D. Hunt, serving in Romania; Kevin U. Malatesta, serving in Armenia; Joshuah C. Marshall, serving in Morocco; Kathryn D. Mcmillan, serving in Costa Rica; Korie C. Merrill, serving in Togo; Jennifer D. Moore, serving in Namibia; Maggie K. Moran, serving in Romania; Michael O. Nielsen, serving in Malawi; Kelly M. Olenyik, serving in Malawi; Brandon J. Perkins, serving in Burkina Faso; Michael S. Quinn, serving in Kazakhstan; Garrett C. Schiche, serving in Thailand; and Brian M. Steen, serving in Kyrgyzstan.

CONGRATULATING HAMILTON  
COUNTY, NEBRASKA

Mr. JOHANNIS. Mr. President, I wish to offer my congratulations to Hamilton County, NE, as Progressive Farmer named them the top county in our country to raise a family. As I am sure the senior Senator from Nebraska would agree, this is a community worthy of the honor. With the great beauty, work ethic, and commitment to family and neighbors, truly Hamilton County and all of Nebraska offers visitors and residents a uniquely fulfilling quality of life.

I know the senior Senator from Nebraska has also been to Hamilton County numerous times. Would the senior Senator like to offer his thoughts on the honor this Nebraska county has received?

Mr. NELSON of Nebraska. Mr. President, I thank the junior Senator from Nebraska. I, too, offer my praises to Hamilton County, NE, and to express how truly fitting this honor from the Progressive Farmer is. Hamilton County has always been a place imbued with the strong values of our great State of Nebraska values of the family, a strong work ethic, and the beauty that the State is known for. Aptly named for our Nation's first Treasury Secretary—Alexander Hamilton—this county holds many of Nebraska's treasures. From Phillips to Hampton, Aurora to Marquette, Giltner to Hordville, and even little Stockham, this county embodies what Nebraska is all about.

PERMANENT SUBCOMMITTEE ON  
INVESTIGATIONS RULES OF PRO-  
CEDURE

Mr. LIEBERMAN. Mr. President, Senate Standing Rules XXVI requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the CONGRESSIONAL RECORD not later than March 1 of the first year of each Congress. On February 24, 2009, a majority of the members of the Committee on Homeland Security and Governmental Affairs' Permanent Subcommittee on In-

vestigations adopted subcommittee rules of procedure.

Consistent with Standing Rule XXVI, I ask unanimous consent to have printed in the RECORD a copy of the rules of procedure of the Permanent Subcommittee on Investigations.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMITTEE ON HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS, AS ADOPTED  
FEBRUARY 24, 2009

1. No public hearing connected with an investigation may be held without the approval of either the Chairman and the Ranking Minority Member or the approval of a Majority of the Members of the Subcommittee. In all cases, notification to all Members of the intent to hold hearings must be given at least 7 days in advance to the date of the hearing. The Ranking Minority Member should be kept fully apprised of preliminary inquiries, investigations, and hearings. Preliminary inquiries may be initiated by the Subcommittee Majority staff upon the approval of the Chairman and notice of such approval to the Ranking Minority Member or the Minority counsel. Preliminary inquiries may be undertaken by the Minority staff upon the approval of the Ranking Minority Member and notice of such approval to the Chairman or Chief Counsel. Investigations may be undertaken upon the approval of the Chairman of the Subcommittee and the Ranking Minority Member with notice of such approval to all Members.

No public hearing shall be held if the Minority Members unanimously object, unless the full Committee on Homeland Security and Governmental Affairs by a majority vote approves of such public hearing.

Senate Rules will govern all closed sessions convened by the Subcommittee (Rule XXVI, Sec. 5(b), Standing Rules of the Senate).

2. Subpoenas for witnesses, as well as documents and records, may be authorized and issued by the Chairman, or any other Member of the Subcommittee designated by him or her, with notice to the Ranking Minority Member. A written notice of intent to issue a subpoena shall be provided to the Chairman and Ranking Minority Member of the Committee, or staff officers designated by them, by the Subcommittee Chairman or a staff officer designated by him or her, immediately upon such authorization, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the Chairman and Ranking Minority Member waive the 48 hour waiting period or unless the Subcommittee Chairman certifies in writing to the Chairman and Ranking Minority Member that, in his or her opinion, it is necessary to issue a subpoena immediately.

3. The Chairman shall have the authority to call meetings of the Subcommittee. This authority may be delegated by the Chairman to any other Member of the Subcommittee when necessary.

4. If at least three Members of the Subcommittee desire the Chairman to call a special meeting, they may file in the office of the Subcommittee, a written request therefor, addressed to the Chairman. Immediately thereafter, the clerk of the Subcommittee shall notify the Chairman of such request. If, within 3 calendar days after the filing of such request, the Chairman fails to call the requested special meeting, which is to be held within 7 calendar days after the filing of such request, a majority of the Subcommittee Members may file in the office of the Subcommittee their written notice that

a special Subcommittee meeting will be held, specifying the date and hour thereof, and the Subcommittee shall meet on that date and hour. Immediately upon the filing of such notice, the Subcommittee clerk shall notify all Subcommittee Members that such special meeting will be held and inform them of its date and hour. If the Chairman is not present at any regular, additional or special meeting, the Ranking Majority Member present shall preside.

5. For public or executive sessions, one Member of the Subcommittee shall constitute a quorum for the administering of oaths and the taking of testimony in any given case or subject matter.

One-third of the Members of the Subcommittee shall constitute a quorum for the transaction of Subcommittee business other than the administering of oaths and the taking of testimony, provided that one member of the minority is present.

6. All witnesses at public or executive hearings who testify to matters of fact shall be sworn.

7. If, during public or executive sessions, a witness, his or her counsel, or any spectator conducts himself or herself in such a manner as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of such hearing, the Chairman or presiding Member of the Subcommittee present during such hearing may request the Sergeant at Arms of the Senate, his or her representative or any law enforcement official to eject said person from the hearing room.

8. Counsel retained by any witness and accompanying such witness shall be permitted to be present during the testimony of such witness at any public or executive hearing, and to advise such witness while he or she is testifying, of his or her legal rights; provided, however, that in the case of any witness who is an officer or employee of the government, or of a corporation or association, the Subcommittee Chairman may rule that representation by counsel from the government, corporation, or association, or by counsel representing other witnesses, creates a conflict of interest, and that the witness may only be represented during interrogation by staff or during testimony before the Subcommittee by personal counsel not from the government, corporation, or association, or by personal counsel not representing other witnesses. This rule shall not be construed to excuse a witness from testifying in the event his or her counsel is ejected for conducting himself or herself in such a manner so as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of the hearings; nor shall this rule be construed as authorizing counsel to coach the witness or answer for the witness. The failure of any witness to secure counsel shall not excuse such witness from complying with a subpoena or deposition notice.

#### 9. Depositions.

9.1 Notice. Notices for the taking of depositions in an investigation authorized by the Subcommittee shall be authorized and issued by the Chairman. The Chairman of the full Committee and the Ranking Minority Member of the Subcommittee shall be kept fully apprised of the authorization for the taking of depositions. Such notices shall specify a time and place of examination, and the name of the Subcommittee Member or Members or staff officer or officers who will take the deposition. The deposition shall be in private. The Subcommittee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness' failure to appear unless the deposition notice was accompanied by a Subcommittee subpoena.

9.2 Counsel. Witnesses may be accompanied at a deposition by counsel to advise them of their legal rights, subject to the provisions of Rule 8.

9.3 Procedure. Witnesses shall be examined upon oath administered by an individual authorized by local law to administer oaths. Questions shall be propounded orally by Subcommittee Members or staff. Objections by the witness as to the form of questions shall be noted for the record. If a witness objects to a question and refuses to testify on the basis of relevance or privilege, the Subcommittee Members or staff may proceed with the deposition, or may, at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from the Chairman or such Subcommittee Member as designated by him or her. If the Chairman or designated Member overrules the objection, he or she may refer the matter to the Subcommittee or he or she may order and direct the witness to answer the question, but the Subcommittee shall not initiate procedures leading to civil or criminal enforcement unless the witness refuses to testify after he or she has been ordered and directed to answer by a Member of the Subcommittee.

9.4 Filing. The Subcommittee staff shall see that the testimony is transcribed or electronically recorded. If it is transcribed, the witness shall be furnished with a copy for review pursuant to the provisions of Rule 12. The individual administering the oath shall certify on the transcript that the witness was duly sworn in his or her presence, the transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall then be filed with the Subcommittee clerk. Subcommittee staff may stipulate with the witness to changes in this procedure; deviations from this procedure which do not substantially impair the reliability of the record shall not relieve the witness from his or her obligation to testify truthfully.

10. Any witness desiring to read a prepared or written statement in executive or public hearings shall file a copy of such statement with the Chief Counsel or Chairman of the Subcommittee 48 hours in advance of the hearings at which the statement is to be presented unless the Chairman and the Ranking Minority Member waive this requirement. The Subcommittee shall determine whether such statement may be read or placed in the Record of the hearing.

11. A witness may request, on grounds of distraction, harassment, personal safety, or physical discomfort, that during the testimony, television, motion picture, and other cameras and lights, shall not be directed at him or her. Such requests shall be ruled on by the Subcommittee Members present at the hearing.

12. An accurate stenographic record shall be kept of the testimony of all witnesses in executive and public hearings. The record of his or her own testimony, whether in public or executive session, shall be made available for inspection by witness or his or her counsel under Subcommittee supervision; a copy of any testimony given in public session or that part of the testimony given by the witness in executive session and subsequently quoted or made part of the record in a public session shall be made available to any witness at his or her expense if he or she so requests.

13. Interrogation of witnesses at Subcommittee hearings shall be conducted on behalf of the Subcommittee by Members and authorized Subcommittee staff personnel only.

14. Any person who is the subject of an investigation in public hearings may submit to the Chairman of the Subcommittee questions in writing for the cross-examination of other witnesses called by the Subcommittee. With the consent of a majority of the Members of the Subcommittee present and vot-

ing, these questions, or paraphrased versions of them, shall be put to the witness by the Chairman, by a Member of the Subcommittee, or by counsel of the Subcommittee.

15. Any person whose name is mentioned or who is specifically identified, and who believes that testimony or other evidence presented at a public hearing, or comment made by a Subcommittee Member or counsel, tends to defame him or her or otherwise adversely affect his or her reputation, may (a) request to appear personally before the Subcommittee to testify in his or her own behalf, or, in the alternative, (b) file a sworn statement of facts relevant to the testimony or other evidence or comment complained of. Such request and such statement shall be submitted to the Subcommittee for its consideration and action.

If a person requests to appear personally before the Subcommittee pursuant to alternative (a) referred to herein, said request shall be considered untimely if it is not received by the Chairman of the Subcommittee or its counsel in writing on or before thirty (30) days subsequent to the day on which said person's name was mentioned or otherwise specifically identified during a public hearing held before the Subcommittee, unless the Chairman and the Ranking Minority Member waive this requirement.

If a person requests the filing of his or her sworn statement pursuant to alternative (b) referred to herein, the Subcommittee may condition the filing of said sworn statement upon said person agreeing to appear personally before the Subcommittee and to testify concerning the matters contained in his or her sworn statement, as well as any other matters related to the subject of the investigation before the Subcommittee.

16. All testimony taken in executive session shall be kept secret and will not be released for public information without the approval of a majority of the Subcommittee.

17. No Subcommittee report shall be released to the public unless approved by a majority of the Subcommittee and after no less than 10 days' notice and opportunity for comment by the Members of the Subcommittee unless the need for such notice and opportunity to comment has been waived in writing by a majority of the Minority Members.

18. The Ranking Minority Member may select for appointment to the Subcommittee staff a Chief Counsel for the Minority and such other professional staff members and clerical assistants as he or she deems advisable. The total compensation allocated to such Minority staff members shall be not less than one-third the total amount allocated for all Subcommittee staff salaries during any given year. The Minority staff members shall work under the direction and supervision of the Ranking Minority Member. The Chief Counsel for the Minority shall be kept fully informed as to preliminary inquiries, investigations, and hearings, and shall have access to all material in the files of the Subcommittee.

19. When it is determined by the Chairman and Ranking Minority Member, or by a majority of the Subcommittee, that there is reasonable cause to believe that a violation of law may have occurred, the Chairman and Ranking Minority Member by letter, or the Subcommittee by resolution, are authorized to report such violation to the proper State, local and/or Federal authorities. Such letter or report may recite the basis for the determination of reasonable cause. This rule is not authority for release of documents or testimony.

SPEAK OUT ON HIGH ENERGY  
PRICES

Mr. CRAPO. Mr. President, In mid-June, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, numbering well over 1,200, are heartbreaking and touching. While energy prices have dropped in recent weeks, the concerns expressed remain very relevant. To respect the efforts of those who took the opportunity to share their thoughts, I am submitting every e-mail sent to me through an address set up specifically for this purpose to the CONGRESSIONAL RECORD. This is not an issue that will be easily resolved, but it is one that deserves immediate and serious attention, and Idahoans deserve to be heard. Their stories not only detail their struggles to meet everyday expenses, but also have suggestions and recommendations as to what Congress can do now to tackle this problem and find solutions that last beyond today. I ask unanimous consent to have today's letters printed in the RECORD:

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Thank you for this opportunity to talk about this issue.

I am not complaining. I have a wonderful life here in Idaho that I could never afford in California. These are the facts of my life.

I am a 46-year-old, divorced female with no children. I am a high school graduate. I am not a minority. I am an American citizen.

Like a lot of Idahoans, I work full time for a low wage. I make \$13.00 an hour without employee benefits. I buy my own health insurance and contribute an inadequate amount to my own IRA. I do own a modest town home in downtown Boise. I have almost paid off my dream vehicle, a medium-sized pickup truck. My monthly expenses are about \$1,200 a month. This does not include groceries, gas, clothes or entertainment. I commute seven miles (round trip) to my job at Hewlett-Packard five days a week. I eat my lunch at my desk. I love my job. I love my home, I love my truck, I love Idaho!

Last year it was really tight. I kept my home heat at 60-65 degrees during the winter. This year it is impossible for me to make ends meet. The cost of gas and food has increased way more than my salary. I am using my credit card, that I had just paid off, to put gas into my truck. Dumb, but I got to have gas to make my life work. We all do!

I have a small "carbon footprint." And [now I am told to conserve!]

I looked at taking the bus, Valley Ride. It would take me one-and-a-half hours to take the bus to work and one-and-a-half hours to go home at the end of the day. My time is too valuable. I would rather go to the gym, ride my bike on the greenbelt, play with my dog, mow my lawn, have a beer with my buds.

I am furious! There is no reason on God's green earth why this should be happening to Americans. We are the greatest nation on earth with vast resources that our Government has taken from us with their [moratoriums]

Manmade global warming is nothing more than a leftist power grab and I am sick of elitists telling the rest of us how to live our lives! I want to take care of myself, not the government! What we have going on [right

now] is national economic suicide! I appreciate all you try to do for Idaho and the citizens of the United States. You have been a wonderful Senator. I am very excited about having nuclear power plants in Idaho. And I look forward to our State creating more businesses, jobs and revenue by using our state's renewable resources. Any chance Idaho has some coal or oil we could exploit? Free market is the way to go for all of America's needs!

SUZANNE, Boise.

I am sure you have received thousands of responses by now, and I am sure I am not the first to come to you with these concerns and ideas. I just hope that adding our "story" to the mix, might add some additional light to the situation.

Who we are: We are a family of six. Our children are 5 years and almost 3-year-old triplets. We own/operate a dairy in Kuna.

Each trip into Boise costs us about \$10 (round trip) in gas. I used to do all my shopping at Walmart/Costco/Winco since the price of groceries are cheaper there than at our Kuna Paul's store. However, adding in the cost of gas now makes tasks as simple as grocery shopping that much more expensive. We are trying to last up to 2 weeks in between shopping trips, just because of the cost of gas. We are eating more frozen foods and less fresh foods.

Trips to the zoo or park have been completely eliminated.

My husband and I have been volunteering at St. Luke's NICU for the last eight months, but have been finding it hard to justify spending the \$10 in gas each time we go, when we are struggling just to pay for the groceries each month.

At our dairy, the cost to feed our own livestock is astronomically high!! The past several months have all been negative income months due entirely to the cost of grains. As a dairy owner, the milk price is going to have to go higher if dairies are going to survive.

My suggestions: Abolish the ethanol subsidies. It is pushing our food prices higher and higher. The cost of grain to make foods or to feed the livestock (that then becomes our food) is pushing a lot of the grocery bills higher and higher. If we have to, we can start riding bikes, but I do not have much choice when it comes to feeding my family.

We need to become more self-sufficient for our own energy needs. We need to start drilling. We need to start pushing for more electric and hybrid cars. Could we even start a program that would help convert gas engines into hybrids??? I would gladly spend a couple thousand (probably would go on a credit card honestly) right now to convert our family vehicle into a hybrid!

Hopefully you have time to read this e-mail and if you did, thank you so much!

LESLIE.

I am cutting back on fuel and fertilizer as much as I can. But, as a person pushing seventy, being frugal and "making do" is no problem and the challenge can be rather enjoyable—a virtue, not a vice. This seems to not be the case with the "boomers" and their progeny. They do not want to do without and they look for simplistic answers from politicians to a complex issue.

This is what I have seen in my lifetime: A doubling of world population every 25 years; Rising standards of living in large areas of the non-Western European-North American world and rising demand for energy; Finite easily and cheaply accessible oil and gas reserves; Unmistakable evidence of serious environmental damage, in part due to profligate use of fossil fuels; The swing in my lifetime away from efficient affordable pub-

lic transportation and towards an emphasis on private motor transportation, truck haulage, and air travel; A reversal of conservation measures and the encouragement of alternative energy development began in the seventies.

There are no quick fixes. The feds and the states can embark on a serious program of conservation. They can see what the Europeans have done along these lines the past thirty years. They can get really serious about public transportation—especially rail—the most efficient way of moving freight and people on land. More efficient engines as well, and smaller vehicles.

Long term, we need a serious energy strategy that involves alternatives, renewables, and changing lifestyles.

Can it be done? It better be done, but it will take some real leadership on the national level.

CLEVE, Bonners Ferry.

Drill! Build new refineries! Stop cowering to the environmental special interests! Stop selling this country's sovereign nation down the tubes. Thank you for trying to do something about this crisis.

The opportunity to have an open dialog regarding high energy prices is a refreshing change. It is apparent to me that by opening this door you are comfortable in the understanding that elected officials serve the people interest and not vis-a-versa.

My family is struggling. The increases we are seeing in the cost of energy are directly affected "every" area of our life. We are a simple middle-class family. Prior to this last year, we had seen a steady increase in the cost of living. However the sharp rise over the last year has been so tremendous we have been forced cut way back.

Highlights from the previous 12 months: We have depleted our savings accounts; We have accepted food donations; We have removed a large majority of all non-essential expenses in the home; We are using the economic stimulus check to pay off our tax debt from last year.

Idaho's economy is not on an even par with California, Florida, New York or Washington D.C. Wages are substantially lower here. Yet the cost of living is skyrocketing. This is directly due to the higher energy costs. Currently we do not have an alternate source of power to move our industry. A gallon of milk or a dozen eggs are produced, processed and transported with the use of natural gas, coal and oil. These are the three primary resources used by industrial nations to sustain their viability.

We are losing our viability and limiting our innovation. If you take a look at Maslow's Hierarchy of Needs theory, you will see that human nature will move up or down based on whether the needs at a given level are being met. The cost of living is forcing our society to circle the wagons. People are spending money on food that, in some cases, has doubled. Basic services that were affordable in years past are not. Small businesses are suffering. Large businesses are losing the support of small businesses all of which has stalling economic growth. Stalled economic growth creates a cascading snowball pushing us closer and closer to the razor's edge. In our country, we have always been considered a nation of opportunity. We are falling backwards. Hope, vision, trust and growth are losing ground to Fear and Anger.

As the cost of fuel go up, manufacturers push their costs onto the markets and the markets just push those cost onto the consumer. Initially the manufacturers and markets do not feel a big squeeze because the consumer adjusts to the market. My wife spent about six months adjusting to the market before we gave up and drastically

changed our consumer spending habits. Please inform your fellow Senators that until energy cost go down you will see very little of my money coming in from consumer based taxes currently being levied because I refuse to buy "anything!" if I cannot supply shelter and food for my family.

You should warn your fellow Senators that the markets that lobby for their support are going to start screaming very soon, if they are not already, to take action. If the government is unwilling to move based on the requests of the people they server maybe they will move when the markets force them and the money generated from taxes starts to dry up.

There is a groundswell out here of people that will, out of necessity, organize to find ways to reduce cost without the help of government and without the need to rely on markets. Due to the lack of action by the government to allow for the explore from additional resources, both the government and the markets are going to see a major shift away from a consumer-based economy.

Reduction in the cost of energy plus a increase the investment in exploration plus increase the investment in alternate energy sources equals Sustainability, Growth, Innovation, Independence, Cost of living reduction, increased revenue.

Please also remember to remind your fellow Senators that "We the People" do not work hard to increase government revenue. We work hard to sustain and/or increase personal revenue.

SEAN, Boise.

I think this country is going to go down the tubes because no one will take action and are pandering to the extreme environmentalists. Why do we think that the rest of the world needs to take all the risks of oil drilling and we do not. Yes, eventually our country could probably adjust to the lack of oil we have now. But this happened way too fast and adjustments just cannot happen fast enough. We need to have our own supplies and we need to be taking steps now for our own supplies and to develop alternatives. I back 100% the drilling and even going to Alaska. Most people who have lived there or know about the pipelines say that there is almost no negative effects on wildlife. We cannot go on not taking our own risks for our own oil.

My husband and myself live in a community that is 30 miles from the nearest decent grocery store and jobs. We cannot afford to go out and buy a high gas mileage car right now, so what are we to do? We do not have a mass transit system available to us—not even a bus. I am 65 and never thought that I would see our life end the way it looks like it is going to end. The US has lost its supremacy in this world and we will soon be a second rate country, if not third world.

Thank you for asking common citizens their opinions. I do not know of anyone that agrees with what is happening and the burying of the heads in the sand. I hate what Pres. Bush has done to this country, but I am very afraid of where we will go under the extreme Democrats.

LESLEY.

My husband and I are both past retirement age, and we live for the most part on a fixed income, which we supplement by both of us working part-time. My husband is in very poor health, but he has to work in order for us to get by financially. The energy prices are having a great impact on everyone that we know. They have driven up the cost of everything. It does not matter what you buy—it costs more every time you go to the store. Our children live in the Logan, Utah area, the Boise area, and in Houston, Texas. We are now to the point where we cannot go to

watch our grandchildren's ball games, school programs, recitals, Church programs etc. We have older grandchildren, so there are show-ers, weddings, missionary farewells and reports. We have several family gatherings every year, and now we all feel that we cannot afford to travel. I know that you share our beliefs in the importance of the family and spending time together. It no longer is a matter of choice—we cannot afford to visit them, and they cannot afford to come home. When I went to Rigby this morning, gas was \$3.93. When I came home an hour later, it was \$4.05—a 12-cent raise, and we all know it is just going to continue to go higher. Utah Power has asked for a rate increase, and the cost of propane has increased along with gas prices. Our income will only cover so much expense no matter how much we try to cut back and cut out.

We support using our own oil—uncapping existing wells, drilling wherever there is oil, drilling in ANWR, and drilling offshore. We support nuclear energy. We do not support the manufacture and use of ethanol. Making ethanol has pushed corn prices out of sight, which has affected livestock prices, further increasing the cost of food. It takes too much energy to produce ethanol for it to be economically feasible. We have been sold the proverbial "bill of goods" where ethanol is concerned.

Thank you for everything that you are doing to try to solve the energy crisis. We appreciate your efforts very much.

GARY and JULIE, Rigby.

The gas prices have impacted our family significantly. We have three vehicles that we use for transportation. Since the price of gas has increased, we spend almost as much on gas as we do for a house payment. That is excessive! All of our transportation is to and from work and school, and running errand such as doctor appointment and getting groceries.

We have tried to cut down the car usage by car pooling and riding our bike when possible. This seldom works because our schedules seldom correspond with each other and they are not flexible enough to get them to work; we do not have a bus service out by where we live so that is not an option; we do not have a safe bike lane and/or sidewalks to ride our bikes without competing for space with other vehicles that drive 40 to 50 miles an hour even though the speed limit is 35. The meeting places for the Share A Ride Program, are in the opposite direction of where we need to be. We are prisoners of our economy. This is both by gas prices and no other safe alternative.

The money for gas has got to come from somewhere so we do not go to movies, out to eat, or camping. We have not ever been able to take a typical vacation because our occupations do not pay the type of salary that would support that lifestyle, so camping three times in the summer was our form of vacation. We do not fly anywhere or drive anywhere outside of Boise and Meridian. My husband's family lives in Pocatello, and it has been almost one year since we have visited them.

Everything has increased in price whether it is directly or indirectly related to rising gas prices. I now hang my clothes out on a clothesline instead of drying them in the dryer; I raise vegetables in the garden instead of supporting the farmer's market; I can anything and everything I can find that is extra produce; we do not use the air conditioning at all; we heat by burning wood in the fireplace. I am not sure how we are going to afford the gas to pay for us to go and cut our firewood for the coming winter.

All prices are increasing, businesses are failing, unemployment is at an all-time high.

It has hit the working class the hardest. The rich get richer and the poor get poorer. For my generation, I feel this is the beginning of our Depression for America. The sad thing is, I do not even see a glimmer of hope for things to change in the next 15 years. By then I will be old enough to retire . . . but retire to what?

Thank you for this opportunity to tell you how our family has been affected by the increase in fuel prices.

CATHY, Boise.

I am a [conservative voter] and applaud you for taking on this issue. Please do all you can to lobby your colleagues to vote for some of the following ideas to ease the energy crisis.

1. Open offshore areas for oil drilling
2. Begin oil shale operations
3. Drill in Alaska
4. Increase our own production of natural gas
5. Approve CLEAN coal plants
6. Approve CLEAN nuclear plants
7. Make it easier to get permits for oil refineries and drilling

Also, please work with Congress to limit the ability of conservation groups to file lawsuits against the seven items above. I am very tired of individuals and fringe groups bogging down our great country with their "legal terrorism."

Finally, stop using corn for ethanol; investigate hydrogen or electric instead.

ERIC.

First of all, I am 50% whole bodied disabled and was not able to live on our Social Security system so I am working at what the doctors say I not do in order to make my payments on my bills. Now the gas is over \$4.00 a gallon and this makes it worse because I am spending most of my money buying gas to get to work. This also drives up all the basic needs such as food on the table also. All extra activities are not happening period. This is making it difficult when my pay is only \$1.15 more an hour than what I made almost 20 years ago. Prices on everything including government must slow down so my wages can catch up. By the way, gas 20 years ago was far less than \$0.60 a gallon then. Go figure.

DOUG, Rupert.

#### NOMINATION OF REPRESENTATIVE HILDA SOLIS TO BE LABOR SECRETARY

Mr. MCCAIN. Mr. President, HILDA SOLIS has a remarkable story of self-determination as the daughter of Mexican and Nicaraguan immigrants who has been nominated by the President to serve as our nation's 25th Secretary of Labor. Congresswoman SOLIS was the first from her family to graduate from college and then went on to earn a master's degree in public administration from the University of Southern California. In 1992, she began her career in public service when she was elected to the California State Assembly and has represented California's 32nd District in the House of Representatives since 2000.

These are very tough economic times for all Americans. Today, the Federal Reserve Chairman, Ben Bernanke, said that he doesn't expect our labor markets to improve until 2011. We will see the end of this recession. However, as businesses fight to get back on their

feet, we need to be preparing and training workers who have lost their jobs so they can continue to succeed in our world economy. I hope that Congresswoman SOLIS, once confirmed, will make as a top priority the availability of adequate worker training programs for our labor force.

While I know that Congresswoman SOLIS and I have divergent views on many of the issues she will consider as Labor Secretary, I am proud of her nomination as the first Latina to be considered for the position of Secretary of Labor. I do believe her nomination could have been considered sooner if the Congresswoman had not submitted documents to the Committee and the House of Representatives that included errors and omissions, specifically regarding her position as Treasurer of a not-for-profit lobbying firm. However, I am pleased that the nominee worked with the Committee to correct these errors and omissions and hope this spirit of cooperation continues between Congresswoman SOLIS and the Congress when she serves as a member of the new administration.

ADDRESS BY THE PRESIDENT DELIVERED TO A JOINT SESSION OF CONGRESS ON FEBRUARY 24, 2009—PM 8

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was ordered to lie on the table.

*To The Congress of the United States:*

I've come here tonight not only to address the distinguished men and women in this great chamber, but to speak frankly and directly to the men and women who sent us here.

I know that for many Americans watching right now, the state of our economy is a concern that rises above all others. And rightly so. If you haven't been personally affected by this recession, you probably know someone who has—a friend; a neighbor; a member of your family. You don't need to hear another list of statistics to know that our economy is in crisis, because you live it every day. It's the worry you wake up with and the source of sleepless nights. It's the job you thought you'd retire from but now have lost; the business you built your dreams upon that's now hanging by a thread; the college acceptance letter your child had to put back in the envelope. The impact of this recession is real, and it is everywhere.

But while our economy may be weakened and our confidence shaken; though we are living through difficult and uncertain times, tonight I want every American to know this:

We will rebuild, we will recover, and the United States of America will emerge stronger than before.

The weight of this crisis will not determine the destiny of this Nation. The

answers to our problems don't lie beyond our reach. They exist in our laboratories and universities; in our fields and our factories; in the imaginations of our entrepreneurs and the pride of the hardest-working people on Earth. Those qualities that have made America the greatest force of progress and prosperity in human history we still possess in ample measure. What is required now is for this country to pull together, confront boldly the challenges we face, and take responsibility for our future once more. Now, if we're honest with ourselves, we'll admit that for too long, we have not always met these responsibilities—as a Government or as a people. I say this not to lay blame or look backwards, but because it is only by understanding how we arrived at this moment that we'll be able to lift ourselves out of this predicament.

The fact is, our economy did not fall into decline overnight. Nor did all of our problems begin when the housing market collapsed or the stock market sank. We have known for decades that our survival depends on finding new sources of energy. Yet we import more oil today than ever before. The cost of health care eats up more and more of our savings each year, yet we keep delaying reform. Our children will compete for jobs in a global economy that too many of our schools do not prepare them for. And though all these challenges went unsolved, we still managed to spend more money and pile up more debt, both as individuals and through our Government, than ever before.

In other words, we have lived through an era where too often, short-term gains were prized over long-term prosperity; where we failed to look beyond the next payment, the next quarter, or the next election. A surplus became an excuse to transfer wealth to the wealthy instead of an opportunity to invest in our future. Regulations were gutted for the sake of a quick profit at the expense of a healthy market. People bought homes they knew they couldn't afford from banks and lenders who pushed those bad loans anyway. And all the while, critical debates and difficult decisions were put off for some other time on some other day.

Well that day of reckoning has arrived, and the time to take charge of our future is here.

Now is the time to act boldly and wisely—to not only revive this economy, but to build a new foundation for lasting prosperity. Now is the time to jumpstart job creation, re-start lending, and invest in areas like energy, health care, and education that will grow our economy, even as we make hard choices to bring our deficit down. That is what my economic agenda is designed to do, and that's what I'd like to talk to you about tonight.

It's an agenda that begins with jobs.

As soon as I took office, I asked this Congress to send me a recovery plan by President's Day that would put people

back to work and put money in their pockets. Not because I believe in bigger Government—I don't. Not because I'm not mindful of the massive debt we've inherited—I am. I called for action because the failure to do so would have cost more jobs and caused more hardships. In fact, a failure to act would have worsened our long-term deficit by assuring weak economic growth for years. That's why I pushed for quick action. And tonight, I am grateful that this Congress delivered, and pleased to say that the American Recovery and Reinvestment Act is now law.

Over the next 2 years, this plan will save or create 3.5 million jobs. More than 90 percent of these jobs will be in the private sector—jobs rebuilding our roads and bridges; constructing wind turbines and solar panels; laying broadband and expanding mass transit.

Because of this plan, there are teachers who can now keep their jobs and educate our kids. Health care professionals can continue caring for our sick. There are 57 police officers who are still on the streets of Minneapolis tonight because this plan prevented the layoffs their department was about to make.

Because of this plan, 95 percent of the working households in America will receive a tax cut—a tax cut that you will see in your paychecks beginning on April 1st.

Because of this plan, families who are struggling to pay tuition costs will receive a \$2,500 tax credit for all four years of college. And Americans who have lost their jobs in this recession will be able to receive extended unemployment benefits and continued health care coverage to help them weather this storm.

I know there are some in this chamber and watching at home who are skeptical of whether this plan will work. I understand that skepticism. Here in Washington, we've all seen how quickly good intentions can turn into broken promises and wasteful spending. And with a plan of this scale comes enormous responsibility to get it right.

That is why I have asked Vice President BIDEN to lead a tough, unprecedented oversight effort—because nobody messes with JOE. I have told each member of my Cabinet as well as mayors and governors across the country that they will be held accountable by me and the American people for every dollar they spend. I have appointed a proven and aggressive Inspector General to ferret out any and all cases of waste and fraud. And we have created a new Web site called [recovery.gov](http://recovery.gov) so that every American can find out how and where their money is being spent.

So the recovery plan we passed is the first step in getting our economy back on track. But it is just the first step. Because even if we manage this plan flawlessly, there will be no real recovery unless we clean up the credit crisis that has severely weakened our financial system.

I want to speak plainly and candidly about this issue tonight, because every American should know that it directly affects you and your family's well-being. You should also know that the money you've deposited in banks across the country is safe; your insurance is secure; and you can rely on the continued operation of our financial system. That is not the source of concern.

The concern is that if we do not re-start lending in this country, our recovery will be choked off before it even begins.

You see, the flow of credit is the lifeblood of our economy. The ability to get a loan is how you finance the purchase of everything from a home to a car to a college education; how stores stock their shelves, farms buy equipment, and businesses make payroll.

But credit has stopped flowing the way it should. Too many bad loans from the housing crisis have made their way onto the books of too many banks. With so much debt and so little confidence, these banks are now fearful of lending out any more money to households, to businesses, or to each other. When there is no lending, families can't afford to buy homes or cars. So businesses are forced to make layoffs. Our economy suffers even more, and credit dries up even further.

That is why this Administration is moving swiftly and aggressively to break this destructive cycle, restore confidence, and re-start lending.

We will do so in several ways. First, we are creating a new lending fund that represents the largest effort ever to help provide auto loans, college loans, and small business loans to the consumers and entrepreneurs who keep this economy running.

Second, we have launched a housing plan that will help responsible families facing the threat of foreclosure lower their monthly payments and refinance their mortgages. It's a plan that won't help speculators or that neighbor down the street who bought a house he could never hope to afford, but it will help millions of Americans who are struggling with declining home values—Americans who will now be able to take advantage of the lower interest rates that this plan has already helped bring about. In fact, the average family who refinances today can save nearly \$2000 per year on their mortgage.

Third, we will act with the full force of the Federal Government to ensure that the major banks that Americans depend on have enough confidence and enough money to lend even in more difficult times. And when we learn that a major bank has serious problems, we will hold accountable those responsible, force the necessary adjustments, provide the support to clean up their balance sheets, and assure the continuity of a strong, viable institution that can serve our people and our economy.

I understand that on any given day, Wall Street may be more comforted by

an approach that gives banks bailouts with no strings attached, and that holds nobody accountable for their reckless decisions. But such an approach won't solve the problem. And our goal is to quicken the day when we re-start lending to the American people and American business and end this crisis once and for all.

I intend to hold these banks fully accountable for the assistance they receive, and this time, they will have to clearly demonstrate how taxpayer dollars result in more lending for the American taxpayer. This time, CEOs won't be able to use taxpayer money to pad their paychecks or buy fancy drapes or disappear on a private jet. Those days are over.

Still, this plan will require significant resources from the Federal Government—and yes, probably more than we've already set aside. But while the cost of action will be great, I can assure you that the cost of inaction will be far greater, for it could result in an economy that sputters along for not months or years, but perhaps a decade. That would be worse for our deficit, worse for business, worse for you, and worse for the next generation. And I refuse to let that happen.

I understand that when the last Administration asked this Congress to provide assistance for struggling banks, Democrats and Republicans alike were infuriated by the mismanagement and results that followed. So were the American taxpayers. So was I.

So I know how unpopular it is to be seen as helping banks right now, especially when everyone is suffering in part from their bad decisions. I promise you—I get it.

But I also know that in a time of crisis, we cannot afford to govern out of anger, or yield to the politics of the moment. My job—our job—is to solve the problem. Our job is to govern with a sense of responsibility. I will not spend a single penny for the purpose of rewarding a single Wall Street executive, but I will do whatever it takes to help the small business that can't pay its workers or the family that has saved and still can't get a mortgage.

That's what this is about. It's not about helping banks—it's about helping people. Because when credit is available again, that young family can finally buy a new home. And then some company will hire workers to build it. And then those workers will have money to spend, and if they can get a loan too, maybe they'll finally buy that car, or open their own business. Investors will return to the market, and American families will see their retirement secured once more. Slowly, but surely, confidence will return, and our economy will recover.

So I ask this Congress to join me in doing whatever proves necessary. Because we cannot consign our Nation to an open-ended recession. And to ensure that a crisis of this magnitude never happens again, I ask the Congress to

move quickly on legislation that will finally reform our outdated regulatory system. It is time to put in place tough, new common-sense rules of the road so that our financial market rewards drive and innovation, and punishes short-cuts and abuse.

The recovery plan and the financial stability plan are the immediate steps we're taking to revive our economy in the short-term. But the only way to fully restore America's economic strength is to make the long-term investments that will lead to new jobs, new industries, and a renewed ability to compete with the rest of the world. The only way this century will be another American century is if we confront at last the price of our dependence on oil and the high cost of health care; the schools that aren't preparing our children and the mountain of debt they stand to inherit. That is our responsibility.

In the next few days, I will submit a budget to the Congress. So often, we have come to view these documents as simply numbers on a page or laundry lists of programs. I see this document differently. I see it as a vision for America—as a blueprint for our future.

My budget does not attempt to solve every problem or address every issue. It reflects the stark reality of what we've inherited—a trillion dollar deficit, a financial crisis, and a costly recession.

Given these realities, everyone in this chamber—Democrats and Republicans—will have to sacrifice some worthy priorities for which there are no dollars. And that includes me.

But that does not mean we can afford to ignore our long-term challenges. I reject the view that says our problems will simply take care of themselves; that says Government has no role in laying the foundation for our common prosperity.

For history tells a different story. History reminds us that at every moment of economic upheaval and transformation, this Nation has responded with bold action and big ideas. In the midst of civil war, we laid railroad tracks from one coast to another that spurred commerce and industry. From the turmoil of the Industrial Revolution came a system of public high schools that prepared our citizens for a new age. In the wake of war and depression, the GI Bill sent a generation to college and created the largest middle class in history. And a twilight struggle for freedom led to a nation of highways, an American on the moon, and an explosion of technology that still shapes our world.

In each case, Government didn't supplant private enterprise; it catalyzed private enterprise. It created the conditions for thousands of entrepreneurs and new businesses to adapt and to thrive.

We are a Nation that has seen promise amid peril, and claimed opportunity from ordeal. Now we must be that nation again. That is why, even as it cuts

back on the programs we don't need, the budget I submit will invest in the three areas that are absolutely critical to our economic future: energy, health care, and education.

It begins with energy.

We know the country that harnesses the power of clean, renewable energy will lead the 21st century. And yet, it is China that has launched the largest effort in history to make their economy energy efficient. We invented solar technology, but we've fallen behind countries like Germany and Japan in producing it. New plug-in hybrids roll off our assembly lines, but they will run on batteries made in Korea.

Well I do not accept a future where the jobs and industries of tomorrow take root beyond our borders—and I know you don't either. It is time for America to lead again.

Thanks to our recovery plan, we will double this Nation's supply of renewable energy in the next 3 years. We have also made the largest investment in basic research funding in American history—an investment that will spur not only new discoveries in energy, but breakthroughs in medicine, science, and technology.

We will soon lay down thousands of miles of power lines that can carry new energy to cities and towns across this country. And we will put Americans to work making our homes and buildings more efficient so that we can save billions of dollars on our energy bills.

But to truly transform our economy, protect our security, and save our planet from the ravages of climate change, we need to ultimately make clean, renewable energy the profitable kind of energy. So I ask this Congress to send me legislation that places a market-based cap on carbon pollution and drives the production of more renewable energy in America. And to support that innovation, we will invest \$15 billion a year to develop technologies like wind power and solar power; advanced biofuels, clean coal, and more fuel-efficient cars and trucks built right here in America.

As for our auto industry, everyone recognizes that years of bad decision-making and a global recession have pushed our automakers to the brink. We should not, and will not, protect them from their own bad practices. But we are committed to the goal of a retooled, re-imagined auto industry that can compete and win. Millions of jobs depend on it. Scores of communities depend on it. And I believe the Nation that invented the automobile cannot walk away from it.

None of this will come without cost, nor will it be easy. But this is America. We don't do what's easy. We do what is necessary to move this country forward.

For that same reason, we must also address the crushing cost of health care.

This is a cost that now causes a bankruptcy in America every 30 seconds. By the end of the year, it could

cause 1.5 million Americans to lose their homes. In the last 8 years, premiums have grown four times faster than wages. And in each of these years, one million more Americans have lost their health insurance. It is one of the major reasons why small businesses close their doors and corporations ship jobs overseas. And it's one of the largest and fastest-growing parts of our budget.

Given these facts, we can no longer afford to put health care reform on hold.

Already, we have done more to advance the cause of health care reform in the last thirty days than we have in the last decade. When it was days old, this Congress passed a law to provide and protect health insurance for 11 million American children whose parents work full-time. Our recovery plan will invest in electronic health records and new technology that will reduce errors, bring down costs, ensure privacy, and save lives. It will launch a new effort to conquer a disease that has touched the life of nearly every American by seeking a cure for cancer in our time. And it makes the largest investment ever in preventive care, because that is one of the best ways to keep our people healthy and our costs under control.

This budget builds on these reforms. It includes an historic commitment to comprehensive health care reform—a down payment on the principle that we must have quality, affordable health care for every American. It's a commitment that's paid for in part by efficiencies in our system that are long overdue. And it's a step we must take if we hope to bring down our deficit in the years to come.

Now, there will be many different opinions and ideas about how to achieve reform, and that is why I'm bringing together businesses and workers, doctors and health care providers, Democrats and Republicans to begin work on this issue next week.

I suffer no illusions that this will be an easy process. It will be hard. But I also know that nearly a century after Teddy Roosevelt first called for reform, the cost of our health care has weighed down our economy and the conscience of our Nation long enough. So let there be no doubt: health care reform cannot wait, it must not wait, and it will not wait another year.

The third challenge we must address is the urgent need to expand the promise of education in America.

In a global economy where the most valuable skill you can sell is your knowledge, a good education is no longer just a pathway to opportunity—it is a prerequisite.

Right now, three-quarters of the fastest-growing occupations require more than a high school diploma. And yet, just over half of our citizens have that level of education. We have one of the highest high school dropout rates of any industrialized nation. And half of the students who begin college never finish.

This is a prescription for economic decline, because we know the countries that out-teach us today will out-compete us tomorrow. That is why it will be the goal of this Administration to ensure that every child has access to a complete and competitive education—from the day they are born to the day they begin a career.

Already, we have made an historic investment in education through the economic recovery plan. We have dramatically expanded early childhood education and will continue to improve its quality, because we know that the most formative learning comes in those first years of life. We have made college affordable for nearly seven million more students. And we have provided the resources necessary to prevent painful cuts and teacher layoffs that would set back our children's progress.

But we know that our schools don't just need more resources. They need more reform. That is why this budget creates new incentives for teacher performance; pathways for advancement, and rewards for success. We'll invest in innovative programs that are already helping schools meet high standards and close achievement gaps. And we will expand our commitment to charter schools.

It is our responsibility as lawmakers and educators to make this system work. But it is the responsibility of every citizen to participate in it. And so tonight, I ask every American to commit to at least 1 year or more of higher education or career training. This can be community college or a four-year school; vocational training or an apprenticeship. But whatever the training may be, every American will need to get more than a high school diploma. And dropping out of high school is no longer an option. It's not just quitting on yourself, it's quitting on your country—and this country needs and values the talents of every American. That is why we will provide the support necessary for you to complete college and meet a new goal: by 2020, America will once again have the highest proportion of college graduates in the world.

I know that the price of tuition is higher than ever, which is why if you are willing to volunteer in your neighborhood or give back to your community or serve your country, we will make sure that you can afford a higher education. And to encourage a renewed spirit of national service for this and future generations, I ask this Congress to send me the bipartisan legislation that bears the name of Senator ORRIN HATCH as well as an American who has never stopped asking what he can do for his country—Senator EDWARD KENNEDY.

These education policies will open the doors of opportunity for our children. But it is up to us to ensure they walk through them. In the end, there is no program or policy that can substitute for a mother or father who will

attend those parent/teacher conferences, or help with homework after dinner, or turn off the TV, put away the video games, and read to their child. I speak to you not just as a President, but as a father when I say that responsibility for our children's education must begin at home.

There is, of course, another responsibility we have to our children. And that is the responsibility to ensure that we do not pass on to them a debt they cannot pay. With the deficit we inherited, the cost of the crisis we face, and the long-term challenges we must meet, it has never been more important to ensure that as our economy recovers, we do what it takes to bring this deficit down.

I'm proud that we passed the recovery plan free of earmarks, and I want to pass a budget next year that ensures that each dollar we spend reflects only our most important national priorities.

Yesterday, I held a fiscal summit where I pledged to cut the deficit in half by the end of my first term in office. My Administration has also begun to go line by line through the Federal budget in order to eliminate wasteful and ineffective programs. As you can imagine, this is a process that will take some time. But we're starting with the biggest lines. We have already identified two trillion dollars in savings over the next decade.

In this budget, we will end education programs that don't work and end direct payments to large agribusinesses that don't need them. We'll eliminate the no-bid contracts that have wasted billions in Iraq, and reform our defense budget so that we're not paying for Cold War-era weapons systems we don't use. We will root out the waste, fraud, and abuse in our Medicare program that doesn't make our seniors any healthier, and we will restore a sense of fairness and balance to our tax code by finally ending the tax breaks for corporations that ship our jobs overseas.

In order to save our children from a future of debt, we will also end the tax breaks for the wealthiest 2 percent of Americans. But let me be perfectly clear, because I know you'll hear the same old claims that rolling back these tax breaks means a massive tax increase on the American people: if your family earns less than \$250,000 a year, you will not see your taxes increased a single dime. I repeat: not one single dime. In fact, the recovery plan provides a tax cut—that's right, a tax cut—for 95 percent of working families. And these checks are on the way.

To preserve our long-term fiscal health, we must also address the growing costs in Medicare and Social Security. Comprehensive health care reform is the best way to strengthen Medicare for years to come. And we must also begin a conversation on how to do the same for Social Security, while creating tax-free universal savings accounts for all Americans.

Finally, because we're also suffering from a deficit of trust, I am committed

to restoring a sense of honesty and accountability to our budget. That is why this budget looks ahead 10 years and accounts for spending that was left out under the old rules—and for the first time, that includes the full cost of fighting in Iraq and Afghanistan. For 7 years, we have been a nation at war. No longer will we hide its price.

We are now carefully reviewing our policies in both wars, and I will soon announce a way forward in Iraq that leaves Iraq to its people and responsibly ends this war.

And with our friends and allies, we will forge a new and comprehensive strategy for Afghanistan and Pakistan to defeat al Qaeda and combat extremism. Because I will not allow terrorists to plot against the American people from safe havens half a world away.

As we meet here tonight, our men and women in uniform stand watch abroad and more are readying to deploy. To each and every one of them, and to the families who bear the quiet burden of their absence, Americans are united in sending one message: we honor your service, we are inspired by your sacrifice, and you have our unyielding support. To relieve the strain on our forces, my budget increases the number of our soldiers and Marines. And to keep our sacred trust with those who serve, we will raise their pay, and give our veterans the expanded health care and benefits that they have earned.

To overcome extremism, we must also be vigilant in upholding the values our troops defend—because there is no force in the world more powerful than the example of America. That is why I have ordered the closing of the detention center at Guantanamo Bay, and will seek swift and certain justice for captured terrorists—because living our values doesn't make us weaker, it makes us safer and it makes us stronger. And that is why I can stand here tonight and say without exception or equivocation that the United States of America does not torture.

In words and deeds, we are showing the world that a new era of engagement has begun. For we know that America cannot meet the threats of this century alone, but the world cannot meet them without America. We cannot shun the negotiating table, nor ignore the foes or forces that could do us harm. We are instead called to move forward with the sense of confidence and candor that serious times demand.

To seek progress toward a secure and lasting peace between Israel and her neighbors, we have appointed an envoy to sustain our effort. To meet the challenges of the 21st century—from terrorism to nuclear proliferation; from pandemic disease to cyber threats to crushing poverty—we will strengthen old alliances, forge new ones, and use all elements of our national power.

And to respond to an economic crisis that is global in scope, we are working with the nations of the G-20 to restore confidence in our financial system,

avoid the possibility of escalating protectionism, and spur demand for American goods in markets across the globe. For the world depends on us to have a strong economy, just as our economy depends on the strength of the world's.

As we stand at this crossroads of history, the eyes of all people in all nations are once again upon us—watching to see what we do with this moment; waiting for us to lead.

Those of us gathered here tonight have been called to govern in extraordinary times. It is a tremendous burden, but also a great privilege—one that has been entrusted to few generations of Americans. For in our hands lies the ability to shape our world for good or for ill.

I know that it is easy to lose sight of this truth—to become cynical and doubtful; consumed with the petty and the trivial. So But in my life, I have also learned that hope is found in unlikely places; that inspiration often comes not from those with the most power or celebrity, but from the dreams and aspirations of Americans who are anything but ordinary.

I think about Leonard Abess, the bank president from Miami who reportedly cashed out of his company, took a \$60 million bonus, and gave it out to all 399 people who worked for him, plus another 72 who used to work for him. He didn't tell anyone, but when the local newspaper found out, he simply said, "I knew some of these people since I was 7 years old. I didn't feel right getting the money myself."

I think about Greensburg, Kansas, a town that was completely destroyed by a tornado, but is being rebuilt by its residents as a global example of how clean energy can power an entire community—how it can bring jobs and businesses to a place where piles of bricks and rubble once lay. "The tragedy was terrible," said one of the men who helped them rebuild. "But the folks here know that it also provided an incredible opportunity."

And I think about Ty'Sheoma Bethea, the young girl from that school I visited in Dillon, South Carolina—a place where the ceilings leak, the paint peels off the walls, and they have to stop teaching six times a day because the train barrels by their classroom. She has been told that her school is hopeless, but the other day after class she went to the public library and typed up a letter to the people sitting in this room. She even asked her principal for the money to buy a stamp. The letter asks us for help, and says, "We are just students trying to become lawyers, doctors, congressmen like yourself and one day president, so we can make a change to not just the state of South Carolina but also the world. We are not quitters."

We are not quitters.

These words and these stories tell us something about the spirit of the people who sent us here. They tell us that even in the most trying times, amid the most difficult circumstances, there

is a generosity, a resilience, a decency, and a determination that perseveres; a willingness to take responsibility for our future and for posterity.

Their resolve must be our inspiration. Their concerns must be our cause. And we must show them and all our people that we are equal to the task before us.

I know that we haven't agreed on every issue thus far, and there are surely times in the future when we will part ways. But I also know that every American who is sitting here tonight loves this country and wants it to succeed. That must be the starting point for every debate we have in the coming months, and where we return after those debates are done. That is the foundation on which the American people expect us to build common ground.

And if we do—if we come together and lift this Nation from the depths of this crisis; if we put our people back to work and restart the engine of our prosperity; if we confront without fear the challenges of our time and summon that enduring spirit of an America that does not quit, then someday years from now our children can tell their children that this was the time when we performed, in the words that are carved into this very chamber, "something worthy to be remembered." Thank you, God Bless you, and may God Bless the United States of America.

BARACK OBAMA,

THE WHITE HOUSE, February 24, 2009.

#### MESSAGE FROM THE HOUSE

At 2:31 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. 44. An act to implement the recommendations of the Guam War Claims Review Commission.

H.R. 601. An act to provide for the conveyance of parcels of land to Mantua, Box Elder County, Utah.

H.R. 603. An act to require the conveyance of certain public land within the boundaries of Camp Williams, Utah, to support the training and readiness of the Utah National Guard.

H.R. 714. An act to authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park, and for other purposes.

H.R. 911. An act to require certain standards and enforcement provisions to prevent child abuse and neglect in residential programs, and for other purposes.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 44. An act to implement the recommendations of the Guam War Claims Review Commission; to the Committee on Energy and Natural Resources.

H.R. 601. An act to provide for the conveyance of parcels of land to Mantua, Box Elder County, Utah; to the Committee on Energy and Natural Resources.

H.R. 603. An act to require the conveyance of certain public land within the boundaries of Camp Williams, Utah, to support the training and readiness of the Utah National Guard; to the Committee on Energy and Natural Resources.

H.R. 714. An act to authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 911. An act to require certain standards and enforcement provisions to prevent child abuse and neglect in residential programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INOUE, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees" (Rept. No. 111-4).

#### 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. THUNE (for himself and Ms. KLOBUCHAR):

S. 457. A bill to establish pilot projects under the Medicare program to provide incentives for home health agencies to utilize home monitoring and communications technologies; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mr. DURBIN, Mr. LEAHY, Mr. SPECTER, and Mr. WHITEHOUSE):

S. 458. A bill to amend the False Claims Act; to the Committee on the Judiciary.

By Mrs. McCASKILL (for herself and Mr. CORKER):

S. 459. A bill to improve and enhance substance use disorder programs for members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. GRASSLEY (for himself and Mr. FEINGOLD):

S. 460. A bill to amend the Agriculture Marketing Act of 1946 to foster efficient markets and increase competition and transparency among packers that purchase livestock from producers; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. LINCOLN (for herself and Mr. CRAPO):

S. 461. A bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit; to the Committee on Finance.

By Mrs. BOXER (for herself and Mr. VITTER):

S. 462. A bill to amend the Lacey Act Amendments of 1981 to prohibit the importation, exportation, transportation, and sale, receipt, acquisition, or purchase in interstate or foreign commerce, of any live animal of any prohibited wildlife species, and for other purposes; to the Committee on Environment and Public Works.

By Mr. KERRY:

S. 463. A bill to impose limitations on certain expenditures by participants in the Troubled Asset Relief Program; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DODD (for himself, Mr. COCHRAN, Mr. KENNEDY, Ms. MIKULSKI, Mr.

CASEY, Mrs. LINCOLN, Mr. CARDIN, Mr. ROCKEFELLER, and Mr. NELSON of Florida):

S. 464. A bill to amend the National and Community Service Act of 1990 to improve the educational awards provided for national service, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DODD (for himself, Mr. COCHRAN, Mr. KENNEDY, Mr. CASEY, and Mr. NELSON of Florida):

S. 465. A bill to amend the National and Community Service Act of 1990 to establish a Semester of Service grant program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DODD (for himself, Mr. COCHRAN, Mr. KENNEDY, Mr. CASEY, Mr. KERRY, Mr. ROCKEFELLER, and Mr. NELSON of Florida):

S. 466. A bill to amend the National and Community Service Act of 1990 to establish a Summer of Service State grant program, a Summer of Service national direct grant program, and related national activities, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DODD (for himself, Mr. COCHRAN, Mr. KENNEDY, Mr. CASEY, Mr. KOHL, and Mr. NELSON of Florida):

S. 467. A bill to amend the National and Community Service Act of 1990 to establish Encore Service Programs, Encore Fellowship Programs, and Silver Scholarship Programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. LINCOLN (for herself, Mr. SCHUMER, Mr. CHAMBLISS, and Mr. BENNETT):

S. Res. 53. A resolution authorizing a plaque commemorating the role of enslaved African Americans in the construction of the Capitol; to the Committee on Rules and Administration.

#### ADDITIONAL COSPONSORS

S. 61

At the request of Mr. DURBIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 61, a bill to amend title 11 of the United States Code with respect to modification of certain mortgages on principal residences, and for other purposes.

S. 144

At the request of Mr. KERRY, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 144, a bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 280F.

S. 160

At the request of Mr. LIEBERMAN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 160, a bill to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives.

S. 167

At the request of Mr. KOHL, the name of the Senator from New York (Mrs.

GILLIBRAND) was added as a cosponsor of S. 167, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes.

S. 254

At the request of Mrs. LINCOLN, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 254, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home infusion therapy under the Medicare Program.

S. 316

At the request of Mrs. LINCOLN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 316, a bill to amend the Internal Revenue Code of 1986 to make permanent the reduction in the rate of tax on qualified timber gain of corporations, and for other purposes.

S. 343

At the request of Mrs. LINCOLN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 343, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage services of qualified respiratory therapists performed under the general supervision of a physician.

S. 354

At the request of Mr. WEBB, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 354, a bill to provide that 4 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes.

S. 371

At the request of Mr. THUNE, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 371, a bill to amend chapter 44 of title 18, United States Code, to allow citizens who have concealed carry permits from the State in which they reside to carry concealed firearms in another State that grants concealed carry permits, if the individual complies with the laws of the State.

S. 381

At the request of Mr. AKAKA, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 381, a bill to express the policy of the United States regarding the United States relationship with Native Hawaiians, to provide a process for the reorganization of a Native Hawaiian and the recognition by the United States of the Native Hawaiian government, and for other purposes.

S. 390

At the request of Mr. CRAPO, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 390, a bill to expand the authority of the Secretary of the Air Force to convey certain relocatable military housing units to Indian tribes located in Idaho and Nevada.

S. 395

At the request of Mrs. FEINSTEIN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 395, a bill to direct the Librarian of Congress and the Secretary of the Smithsonian Institution to carry out a joint project at the Library of Congress and the National Museum of African American History and Culture to collect video and audio recording of personal histories and testimonials of individuals who participated in the Civil Rights movement, and for other purposes.

S. 407

At the request of Mr. AKAKA, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 407, a bill to increase, effective as of December 1, 2009, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

S. 456

At the request of Mr. DODD, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 456, a bill to direct the Secretary of Health and Human Services, in consultation with the Secretary of Education, to develop guidelines to be used on a voluntary basis to develop plans to manage the risk of food allergy and anaphylaxis in schools and early childhood education programs, to establish school-based food allergy management grants, and for other purposes.

S. RES. 9

At the request of Mr. LUGAR, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. Res. 9, a resolution commemorating 90 years of U.S.-Polish diplomatic relations, during which Poland has proven to be an exceptionally strong partner to the United States in advancing freedom around the world.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY (for himself, Mr. DURBIN, Mr. LEAHY, Mr. SPECTER, and Mr. WHITEHOUSE):

S. 458. A bill to amend the False Claims Act; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, I am here as part of what I am calling "Accountability in Government Week." I plan to introduce various bills this week that will strengthen oversight of Government programs, integrity of taxpayer-funded initiatives, and bring sunshine to the executive, legislative, and judicial branches of our Government. These bills are important and will help all Americans better understand their Government in addition to making sure taxpayers' dollars are not lost to fraud, waste, and abuse.

The first bill I am introducing this week, and am introducing today, is the

False Claims Clarification Act of 2009. I am glad to be joined by my original cosponsor, Mr. DURBIN, the majority whip, the Senator from Illinois, who has worked closely with me in crafting this legislation that will update the 1986 amendments to the False Claims Act I authored.

This legislation is similar to a version that was introduced in the last Congress that cleared the Judiciary Committee by unanimous voice vote. We have made some updates to the bill that was the result of sitting down with various interested parties and hearing their concerns. We made a commitment last Congress to move that bill through regular order to ensure that all interested stakeholders had a say. I believe this version of the bill not only clarifies the original intent of the 1986 amendments but also makes a number of modifications that strengthen the False Claims Act and will help the Government recover taxpayers' dollars lost to fraud and abuse for years to come.

Senator DURBIN and I are also joined by other original cosponsors, including Senator LEAHY, whom you recognize is the chairman of the Judiciary Committee, and Senator SPECTER, its ranking member, and Senator WHITEHOUSE, a member of the committee. It is a bipartisan bill that is about protecting taxpayers' dollars and strengthening the Government's hand in combating fraud.

A little history: Back in 1986, the Government was in a situation that had some parallel to today's economic situation. Government military expenditures were a significant portion of the budget, and there was ample evidence of fraud and abuse in Government contracts. Today, we are facing an economic situation where the Government is now on the hook for trillions of dollars in new Government spending in an attempt to jump-start our ailing economy. That is compounded by the fact that the Treasury Department has taken unprecedented steps to bail out financial institutions with hundreds of billions of taxpayers' dollars.

I am concerned this new Government spending has occurred too quickly and could be ripe with opportunities for fraud and abuse. I would say there are 99 other Senators who can say the same thing. But that is the reason this legislation is timely and urgently needed.

The False Claims Act, which is also known as Lincoln's Law, was originally passed by Congress in 1865 to combat war profiteering by Government contractors during the Civil War. The False Claims Act allowed individual citizen whistleblowers to go to court to collect Government money that was lost to unscrupulous contractors that were selling false or fraudulent goods to Union troops. This legal mechanism, known as *qui tam*—Q-U-I T-A-M, for you Latin lovers—is the key component to the False Claims Act, allowing individual citizens to act as private

“attorneys general” to help unearth fraud and recover lost money.

However, following World War II, the False Claims Act was weakened by an act of Congress which lowered the penalties, limiting the money the Government could recover from this fraud. This remained the case from the end of World War II until 1986 with the False Claims Act. That is when I authored amendments to that act which restored the teeth and breathed new life into a law that was designed to do nothing but to protect all American taxpayers.

Now, since 1986 the Federal Government has recovered \$22 billion from those who defraud the Government. By working with qui tam whistleblowers, the Justice Department has turned Lincoln’s law into the single most effective tool in the Federal Government’s tool box to help protect taxpayers’ dollars. However, it has been a hard fought battle to get the False Claims Act to where it is today as deep-pocket Government contractors have spent hundreds of millions of dollars to litigate the False Claims Act. As a result, various court interpretations have limited the applicability and the reach of the False Claims Act, cutting off many worthy cases from ever going forward. Some of these cases have been around for quite a while, others more recent. Yet the one thing these cases have in common is they threaten to undermine both the spirit and the intent of the 1986 amendments to Lincoln’s law called the False Claims Act.

The first case that created problems for the False Claims Act was the Totten case where the DC Circuit Court of Appeals held that false claims must be presented directly to the Government—in this case, employees at Amtrak, which is a Government grantee—and were not actually presented to the Federal Government. As a result, the Government was precluded from recovering money lost to fraud and abuse perpetrated against Amtrak.

More recently, the Supreme Court held in Allison Engine Co. v. U.S. that for liability to attach a defendant must not only make a false statement but must intend to get the claim paid and approved directly by the Government based upon that false statement. While this sounds straightforward, it creates a huge loophole in the False Claims Act because subcontractors who receive Federal money never actually submit a claim directly to the Government because they do it through the contractors. Instead, they pass the claim to the prime contractor who then gives it to the Government. So under the Allison Engine decision, it could be virtually impossible to prove a False Claims Act case where the subcontractor knowingly ripped off the taxpayers. In fact, a judge in my home State of Iowa dismissed a case based solely upon the Allison Engine decision, even without a motion from the defendant. This has created a significant problem for recovering taxpayers’

dollars that trickle down to subcontractors, particularly in Medicare and Medicaid Programs where subcontractors are frequently utilized.

Further, this could become a bigger problem if the second tranche of TARP money—some people might refer to that as the bailout money—is used to purchase distressed assets through a third party broker as originally envisioned.

Another case that is detrimental to the False Claims Act is Rockwell International Corporation v. U.S. In that case, the Supreme Court interpreted an area of the False Claims Act known as the “public disclosure bar,” which prohibits a false claims case from moving forward if the case was based upon publicly disclosed information such as a Government report, unless the whistleblower filing the case was the “original source” of the information. Here, the Supreme Court held that a qui tam whistleblower was barred from receiving a share of any money recovered unless they were the original source of all claims ultimately settled.

This may not sound like a troublesome decision. However, the impact is that oftentimes a case is brought by a whistleblower on a certain set of facts and then expanded by the Department of Justice that ultimately settles on other grounds. As a result, this case creates a disincentive for a whistleblower to bring forth information about fraud as they may not get to share in any part of that recovery. That is the incentive under false claims: a whistleblower, not a lawyer, not in the Justice Department, to get a percentage of what is recovered as an incentive to get this information out there and get it prosecuted, particularly if the Justice Department is overloaded or maybe doesn’t want to take the case.

Now, one last case I will mention is the Custer Battles case decided in 2006. In this case, a jury found that a defense contractor in Iraq had defrauded the Government of \$10 million. However, the judge overturned the jury’s verdict, finding that the money lost was not U.S. taxpayer money but was instead Iraqi money under the control of the U.S. Government. As a result of this case, the U.S. Government may not recover for any fraud committed against the U.S. Government if the funds are not American funds, even if the U.S. Government has been entrusted with the management of those funds, just as if money is somehow not fungible. These decisions, which are by no means an exhaustive list, are contrary to the spirit and the intent of the 1986 amendments. And who should know that? I should know it because I authored this legislation.

This bill we are introducing today—a bipartisan bill by Senator DURBIN and myself—seeks to clarify the False Claims Act so these judicial interpretations that have limited the False Claims Act are overruled. It is narrowly tailored—I wish to emphasize

“narrowly tailored”—to ensure that the intent of Congress in the 1986 amendments is upheld, if nothing else.

The False Claims Clarification Act would correct these negative interpretations in addition to making technical and clarifying amendments. First, the bill would address the Totten decision by removing the requirement that false claims be directly presented to the Government officials instead of tying the liability directly to Government money and property. It would also correct the Allison Engine decision, ensuring that subcontractors who rip off the taxpayers will be held accountable.

The bill would also address the Rockwell decision by requiring the Attorney General to file a timely motion to dismiss claims that violate the public disclosure bar. By allowing the Attorney General to present to the court information about public disclosures up front in a case, the bill would eliminate procedural uncertainties that exist now by allowing public disclosures to be addressed at any time during the proceeding.

The bill also clarifies that nontaxpayer funds under the control of the U.S. Government subject to fraud are actionable under the False Claims Act. Thus, monies directly under the control of the U.S. Government subject to fraud that are currently outside the scope of the False Claims Act would now be covered. This would correct the problems that have arisen following the decision of Custer Battles.

Additionally, the bill clarifies a split between the Federal Circuit Courts of Appeal that currently exists regarding whether a Government employee may file a False Claims Act case. It takes a dissenting opinion from the Tenth Circuit and codifies that by allowing Government employees to bring a False Claims Act case based upon information learned in the course of their employment only when the employee: One, discloses the fraud to a supervisor; two, discloses the fraud to the Inspector General of the agency; three, discloses the fraud to the Attorney General and then waits 18 months without Government action.

Further, it restricts a Government employee from bringing a False Claims Act case if they derive information for their case in an indictment or information, any ongoing criminal, civil, or administrative investigation, or if they are an auditor, investigator, or attorney who has a duty—a duty—to investigate fraud. This ensures that a Government employee can act as a relator, but only if he or she is truly bringing a claim that the Government has refused to investigate.

The bill makes some additional technical corrections that I am not going to go into. Finally, the bill includes a new section that will require the Attorney General to report to Congress on an annual basis regarding the use of the False Claims Act and any settlements made upon these sorts of lawsuits. This has two purposes. It allows

Congress, first, to see if the Justice Department is utilizing the act consistent with the spirit and intent; and, secondly, ensures that the seal provisions allowing the case to be privately sealed with the court are not being abused to the detriment of qui tam relators.

So the False Claims Act clarification bill is narrowly tailored to ensure that the legislative intent of 1986 is truly understood. It will bring a level of reason and sanity instead of the current hodgepodge of laws across various circuit courts of appeals. This bill is designed to protect the American taxpayer from fraud and is timely, given the recent actions to shore up the balance sheets of banks and private businesses across the country.

I am glad we have a bipartisan coalition ready to pick up where we left off in the last Congress. I believe we made great strides last year in working through the concerns of various stakeholders, and I encourage my colleagues to join me and Senator DURBIN in strengthening Lincoln's law so that it can stand up and work for the American taxpayers for years to come as it has for the last 22 years, bringing about \$22 billion back to the Federal Treasury.

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 placed in the RECORD, as follows:

S. 458

*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 "False Claims Act Clarification Act of 2009".

#### SEC. 2. FALSE CLAIMS GENERALLY.

Section 3729 of title 31, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

“(a) LIABILITY FOR CERTAIN ACTS.—

“(1) IN GENERAL.—Subject to paragraph (2), any person who—

“(A) knowingly presents, or causes to be presented, a false or fraudulent claim for payment or approval;

“(B) knowingly makes, uses, or causes to be made or used, a false record or statement to get a false or fraudulent claim paid or approved;

“(C) conspires to commit a violation of subparagraph (A), (B), (D), (E), (F), or (G) or otherwise to get a false or fraudulent claim paid or approved;

“(D) has possession, custody, or control of property or money used, or to be used, by the Government and knowingly delivers, or causes to be delivered, less than all of that money or property;

“(E) is authorized to make or deliver a document certifying receipt of property used, or to be used, by the Government and, intending to defraud the Government, makes or delivers the receipt without completely knowing that the information on the receipt is true;

“(F) knowingly buys, or receives as a pledge of an obligation or debt, public property from an officer or employee of the Government, or a member of the Armed Forces, who lawfully may not sell or pledge the property; or

“(G) knowingly makes, uses, or causes to be made or used, a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to the Government, or knowingly conceals, avoids, or decreases an obligation to pay or transmit money or property to the Government,

is liable to the United States Government for a civil penalty of not less than \$5,000 and not more than \$10,000, as adjusted by the Federal Civil Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461 note; Public Law 104-410), plus 3 times the amount of damages which the Government sustains because of the act of that person.

“(2) REDUCED DAMAGES.—If the court finds that—

“(A) the person committing the violation of this subsection furnished officials of the United States responsible for investigating false claims violations with all information known to such person about the violation within 30 days after the date on which the defendant first obtained the information;

“(B) such person fully cooperated with any Government investigation of such violation; and

“(C) at the time such person furnished the United States with the information about the violation, no criminal prosecution, civil action, or administrative action had commenced under this title with respect to such violation, and the person did not have actual knowledge of the existence of an investigation into such violation,

the court may assess not less than 2 times the amount of damages which the Government sustains because of the act of that person.

“(3) COSTS OF CIVIL ACTIONS.—A person violating this subsection shall also be liable to the United States Government for the costs of a civil action brought to recover any such penalty or damages.”;

(2) by striking subsections (b) and (c) and inserting the following:

“(b) DEFINITIONS.—For purposes of this section—

“(1) the terms ‘knowing’ and ‘knowingly’ mean that a person, with respect to information—

“(A) has actual knowledge of the information;

“(B) acts in deliberate ignorance of the truth or falsity of the information; or

“(C) acts in reckless disregard of the truth or falsity of the information,

and no proof of specific intent to defraud is required;

“(2) the term ‘claim’—

“(A) means any request or demand, whether under a contract or otherwise, for money or property and whether or not the United States has title to the money or property, that—

“(i) is presented to an officer, employee, or agent of the United States; or

“(ii) is made to a contractor, grantee, or other recipient if the United States Government—

“(I) provides or has provided any portion of the money or property requested or demanded; or

“(II) will reimburse such contractor, grantee, or other recipient for any portion of the money or property which is requested or demanded; and

“(B) does not include requests or demands for money or property that the Government has paid to an individual as compensation for Federal employment or as an income subsidy with no restrictions on that individual's use of the money or property; and

“(3) the term ‘obligation’ means a fixed duty, or a contingent duty arising from an express or implied contractual, quasi-contractual, grantor-grantee, licensor-licensee,

fee-based, or similar relationship, and the retention of any overpayment.”;

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

(4) in subsection (c), as redesignated, by striking “subparagraphs (A) through (C) of subsection (a)” and inserting “subsection (a)(2)”.

#### SEC. 3. GOVERNMENT RIGHT TO DISMISS CERTAIN ACTIONS.

Section 3730(b) of title 31, United States Code, is amended—

(1) in paragraph (2), by striking “Rule 4(d)(4)” and inserting “rule 4”; and

(2) by adding at the end the following:

“(6)(A) Not later than 120 days after the date of service under paragraph (2), the Government may move to dismiss from the action a qui tam relator that is an employee of the Federal Government, or that is an immediate family member of an employee of the Federal Government, if—

“(i) the necessary and specific material allegations contained in such action were derived from a filed criminal indictment or information or an open and active criminal, civil, or administrative investigation or audit by the Government into substantially the same fraud alleged in the action;

“(ii) the duties of the employee's position specifically include uncovering and reporting the particular type of fraud that is alleged in the action, and the employee, as part of the duties of that employee's position, is participating in or has knowledge of an open and active criminal, civil, or administrative investigation or audit by the Government of the alleged fraud;

“(iii) the person bringing the action learned of the information that underlies the alleged violation of section 3729 that is the basis of the action in the course of the person's employment by the United States, and either—

“(I) in a case in which the employing agency has an inspector general, such person, before bringing the action has not—

“(aa) disclosed in writing substantially all material evidence and information that relates to the alleged violation that the person possessed to such inspector general; and

“(bb) notified in writing the person's supervisor and the Attorney General of the disclosure under division (aa); or

“(II) in a case in which the employing agency does not have an inspector general, such person, before bringing the action has not—

“(aa) disclosed in writing substantially all material evidence and information that relates to the alleged violation that the person possessed, to the Attorney General; and

“(bb) notified in writing the person's supervisor of the disclosure under division (aa); or

“(iv) the person bringing the action learned of the information that underlies the alleged violation of section 3729 that is the basis of the action in the course of the person's employment by the United States, made the required disclosures and notifications under clause (iii), and—

“(I) less than 18 months (and any period of extension as provided for under subparagraph (B)) have elapsed since the disclosures of information and notification under clause (iii) were made; or

“(II) within 18 months (and any period of extension as provided for under subparagraph (B)) after the disclosures of information and notification under clause (iii) were made, the Attorney General has filed an action based on such information.

“(B) Prior to the expiration of the 18-month period described under subparagraph (A)(iv)(II) and upon notice to the person who

has disclosed information and provided notice under subparagraph (A)(iii), the Attorney General may extend such 18-month period by 1 additional 12-month period.

“(C) For purposes of subparagraph (A), a person’s supervisor is the officer or employee who—

“(i) is in a position of the next highest classification to the position of such person;

“(ii) has supervisory authority over such person; and

“(iii) such person believes is not culpable of the violation upon which the action under this subsection is brought by such person.

“(D) A motion to dismiss under this paragraph shall set forth documentation of the allegations, evidence, and information in support of the motion.

“(E) Any person against whom the Government has filed a motion to dismiss under subparagraph (A) shall be provided an opportunity to contest a motion to dismiss under this paragraph. The court may restrict access to the evidentiary materials filed in support of the motion to dismiss, as the interests of justice require. A motion to dismiss and evidentiary material filed in support or opposition of such motion shall not be—

“(i) made public without the prior written consent of the person bringing the civil action; and

“(ii) subject to discovery by the defendant.

“(F) Upon granting a motion filed under subparagraph (A), the court shall dismiss the qui tam relator from the action.

“(G) If the motion to dismiss under this paragraph is granted, the matter shall remain under seal.

“(H) Not later than 12 months after the date of the enactment of this paragraph, and every 12 months thereafter, the Department of Justice shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives relating to—

“(i) the cases in which the Department of Justice has filed a motion to dismiss under this paragraph;

“(ii) the outcome of such motions; and

“(iii) the status of false claims civil actions in which such motions were filed.

“(I) Nothing in this paragraph shall be construed to limit the authority of the Government to dismiss an action or claim, or a person who brings an action or claim, under this subsection for any reason other than the grant of a motion filed under subparagraph (A).”

#### SEC. 4. BARRED ACTIONS.

(a) PROVISIONS RELATING TO ACTIONS BARRED.—Section 3730(b)(1) of title 31, United States Code, is amended by adding at the end the following: “No claim for a violation of section 3729 may be waived or released by any action of any person who brings an action under this subsection, except insofar as such action is part of a court approved settlement of a false claim civil action brought under this section. Nothing in this paragraph shall be construed to limit the ability of the United States to decline to pursue any claim brought under this subsection, or to require court approval of a settlement by the Government with a defendant of an action brought under subsection (a), or under this subsection, unless the person bringing the action objects to the settlement under subsection (c)(2)(B).”

(b) DISMISSAL.—Section 3730(e)(4) of title 31, United States Code, is amended to read as follows:

“(4) A court shall dismiss an action or claim or the person bringing the action or claim under subsection (b), upon a motion by the Government filed on or before service of a complaint on the defendant under sub-

section (b), or thereafter for good cause shown if—

“(A) on the date the action or claim was filed, substantially the same matters, involving the same wrongdoer, as alleged in the action or claim were contained in, or the subject of—

“(i) a filed criminal indictment or information, or an open and active criminal, civil, or administrative investigation or audit; or

“(ii) a news media report, or public congressional hearing, report, or investigation, if within 90 days after the issuance or completion of such news media report or congressional hearing, report, or investigation, the Department of Justice or an Office of Inspector General opened a fraud investigation or audit of the facts contained in such news media report or congressional hearing, report, or investigation as a result of learning about the public report, hearing, or investigation;

“(B) any new information provided by the person does not add substantial grounds for additional recovery beyond those encompassed within the Government’s existing criminal indictment or information, or an open and active criminal, civil, or administrative investigation or audit; and

“(C) the Government’s existing criminal indictment or information, or an open and active criminal, civil, or administrative investigation or audit, or the news media report, or congressional hearing, report, or investigation was not initiated or published after the Government’s receipt of information about substantially the same matters voluntarily brought by the person to the Government.”

(c) QUI TAM AWARDS.—Section 3730(d) of title 31, United States Code, is amended—

(1) in paragraph (1), by striking the second sentence and inserting “If the person bringing the action is not dismissed under subsection (e)(4) because the person provided new information that adds substantial grounds for additional recovery beyond those encompassed within the Government’s existing indictment, information, investigation, or audit, then such person shall be entitled to receive a share only of proceeds of the action or settlement that are attributable to the new basis for recovery that is stated in the action brought by that person.”; and

(2) by striking paragraph (3) and inserting the following:

“(3)(A) Whether or not the Government proceeds with the action, the court may, to the extent the court considers appropriate, reduce the share of the proceeds of the action which a person would otherwise receive under paragraph (1) or (2) of this subsection (taking into account the role of that person in advancing the case to litigation and any relevant circumstances pertaining to the violation), if the court finds that person—

“(i) planned and initiated the violation of section 3729 upon which the action was brought; or

“(ii) derived the knowledge of the claims in the action primarily from specific information relating to allegations or transactions (other than information provided by the person bringing the action) that the Government publicly disclosed, as that term is defined in subsection (e)(4)(A), or that the Government disclosed privately to the person bringing the action in the course of its investigation into potential violations of this subchapter.

“(B) If the person bringing the action is convicted of criminal conduct arising from the role of that person in the violation of section 3729, that person shall be dismissed from the civil action and shall not receive any share of the proceeds of the action. Such dismissal shall not prejudice the right of the

United States to continue the action, represented by the Department of Justice.”

#### SEC. 5. RELIEF FROM RETALIATORY ACTIONS.

Section 3730(h) of title 31, United States Code, is amended to read as follows:

“(h) RELIEF FROM RETALIATORY ACTIONS.—

“(1) IN GENERAL.—Any employee, government contractor, or agent shall be entitled to all relief necessary to make that employee, government contractor, or agent whole, if that employee, government contractor, or agent is discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment because of lawful acts done by the employee, government contractor, or agent on behalf of the employee, government contractor, or agent or associated others in furtherance of other efforts to stop 1 or more violations of this subchapter.

“(2) RELIEF.—Relief under paragraph (1) shall include reinstatement with the same seniority status that employee, government contractor, or agent would have had but for the discrimination, 2 times the amount of back pay, interest on the back pay, and compensation for any special damages sustained as a result of the discrimination, including litigation costs and reasonable attorneys’ fees. An action under this subsection may be brought in the appropriate district court of the United States for the relief provided in this subsection.”

#### SEC. 6. STATUTE OF LIMITATIONS.

Section 3731(b) of title 31, United States Code, is amended to read as follows:

“(b)(1) A civil action under section 3730 may not be brought more than 10 years after the date on which the violation of section 3729 or 3730 is committed.

“(2) Upon intervention, the Government may file its own complaint in intervention or amend the complaint of a person who has brought an action under section 3730(b) to clarify or add detail to the claims in which the Government is intervening and to add any additional claims with respect to which the Government contends it is entitled to relief. For statute of limitations purposes, any such Government pleading shall relate back to the filing date of the complaint of the person who originally brought the action, to the extent that the claim of the Government arises out of the conduct, transactions, or occurrences set forth, or attempted to be set forth, in the prior complaint of that person.”

#### SEC. 7. CIVIL INVESTIGATIVE DEMANDS.

Section 3733 of title 31, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by inserting “, or a designee (for purposes of this section),” after “Whenever the Attorney General”; and

(II) by striking “the Attorney General may, before commencing a civil proceeding under section 3730 or other false claims law,” and inserting “the Attorney General, or a designee, may, before commencing a civil proceeding under section 3730(a) or other false claims law, or electing under section 3730(b),”; and

(ii) in the matter following subparagraph (D)—

(I) by striking “may not delegate” and inserting “may delegate”; and

(II) by adding at the end the following: “Any information obtained by the Attorney General or a designee of the Attorney General under this section may be shared with any qui tam relator if the Attorney General or designee determine it is necessary as part of any false claims act investigation.”; and

(B) in paragraph (2)(G), by striking the second sentence;

(2) in subsection(i)(2)—

(A) in subparagraph (B), by striking “, who is authorized for such use under regulations which the Attorney General shall issue”; and

(B) in subparagraph (C), by striking “Disclosure of information to any such other agency shall be allowed only upon application, made by the Attorney General to a United States district court, showing substantial need for the use of the information by such agency in furtherance of its statutory responsibilities.”; and

(3) in subsection (1)—

(A) in paragraph (6), by striking “and” after the semicolon; and

(B) in paragraph (7), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(8) the term ‘official use’ means any use that is consistent with the law, and the regulations and policies of the Department of Justice, including use in connection with internal Department of Justice memoranda and reports; communications between the Department of Justice and a Federal, State, or local government agency, or a contractor of a Federal, State, or local government agency, undertaken in furtherance of a Department of Justice investigation or prosecution of a case; interviews of any qui tam relator or other witness; oral examinations; depositions; preparation for and response to civil discovery requests; introduction into the record of a case or proceeding; applications, motions, memoranda and briefs submitted to a court or other tribunal; and communications with Government investigators, auditors, consultants and experts, the counsel of other parties, arbitrators and mediators, concerning an investigation, case or proceeding.”.

#### SEC. 8. FALSE CLAIMS SETTLEMENTS.

(a) **REPORTS BY ATTORNEY GENERAL.**—Not later than November 1 of each year, the Attorney General shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that describes each settlement or compromise of any claim, suit, or other action entered into with the Department of Justice that—

(1) relates to an alleged violation of section 1031 of title 18, United States Code, or section 3729 of title 31, United States Code (including all settlements of alternative remedies); and

(2) results from a claim of damages in excess of \$100,000.

(b) **CONTENTS OF REPORTS.**—The descriptions of each settlement or compromise required to be included in the annual report under subsection (a) shall include—

(1) the overall amount of the settlement or compromise and the portions of the settlement attributed to various statutory authorities;

(2) the amount of actual damages, or in the event no actual amount is available a good faith estimate of the damages, estimated to have been sustained and the minimum and maximum potential civil penalties incurred as a consequence of the defendants that is the subject of the settlement or compromise;

(3) the basis for the estimate of damages sustained and the potential civil penalties incurred;

(4) the amount of the settlement that represent damages and the multiplier or percentage of the actual damages applied in the actual settlement or compromise;

(5) the amount of the settlement that represents civil penalties and the percentage of the potential penalty liability captured by the settlement or compromise;

(6) the amount of the settlement that represents criminal fines and a statement of the basis for such fines;

(7) the length of time involved from the filing of the complaint until the finalization of the settlement or compromise, including—

(A) the date of the original filing of the complaint;

(B) the time the case remained under seal;

(C) the date upon which the Department of Justice determined whether or not to intervene in the case; and

(D) the date of settlement or compromise;

(8) whether any of the defendants, or any divisions, subsidiaries, affiliates, or related entities, had previously entered into 1 or more settlements or compromises relating to section 1031 of title 18, United States Code, or section 3730(b) of title 31, United States Code, and if so, the dates and monetary size of such settlements or compromises;

(9) whether the defendant or any of its divisions, subsidiaries, affiliates, or related entities—

(A) entered into a corporate integrity agreement relating to the settlement or compromise;

(B) entered into a deferred prosecution agreement relating to the settlement or compromise; and

(C) had previously entered into 1 or more corporate integrity agreements relating to section 3730(b) of title 31, United States Code, or a deferred prosecution agreement relating to section 1031 of title 18, United States Code, and if so, whether the previous corporate integrity agreements covered the conduct that is the subject of the settlement or compromise being reported on or similar conduct;

(10) in the case of settlements involving Medicaid, the amounts paid to the Federal Government and to each of the States participating in the settlement or compromise;

(11) whether civil investigative demands were issued in process of investigating the case;

(12) in qui tam actions, the percentage of the settlement amount awarded to the relator, and whether or not the relator requested a fairness hearing pertaining to the percentage received by the relator or the overall amount of the settlement;

(13) the extent to which officers of the department or agency that was the victim of the loss resolved by the settlement or compromise participated in the settlement negotiations; and

(14) the extent to which relators and their counsel participated in the settlement negotiations.

#### SEC. 9. SEVERABILITY.

If any provision or application of this Act is held invalid, the invalidity shall not affect other provisions or applications of this Act which can be given effect without regard to the invalid provision or application, and to this end the provisions or applications of this Act are severable.

#### SEC. 10. EFFECTIVE DATE AND APPLICATION.

(a) **IN GENERAL.**—Except as provided under subsections (b) and (c), the amendments made by this Act shall take effect on the date of enactment of this Act and shall apply to all civil actions filed before, on, or after that date.

(b) **FALSE CLAIMS.**—The amendments made by section 2 shall take effect on the date of enactment of this Act and shall apply to conduct occurring after that date of enactment.

(c) **STATUTE OF LIMITATION.**—The amendment made to section 3731(b)(1) of title 31, United States Code, by section 6 of this Act shall take effect on the date of enactment of this Act and shall apply to civil actions filed after that date of enactment.

Mr. DURBIN. Mr. President, I am pleased to join my colleague Senator

GRASSLEY in introducing the False Claims Act Clarification Act of 2009. This bipartisan legislation takes important steps to modernize and strengthen the federal False Claims Acts, FCA, and will help protect the government and taxpayers from waste, fraud and abuse related to government funds. Last Congress Senator GRASSLEY and I introduced similar legislation, which was passed by voice vote out of the Senate Judiciary Committee. I look forward to working with Senator GRASSLEY as well as our fellow cosponsors, Senator LEAHY, the Chairman of the Judiciary Committee; Senator SPECTER, the Ranking Member of the Judiciary Committee; and Senator WHITEHOUSE, to see this important legislation passed into law.

Since it was signed into law by President Lincoln in 1863, the FCA, or “Lincoln’s Law,” has played a key role in enabling the federal government and qui tam whistleblowers to prevent unscrupulous government contractors from defrauding the nation’s taxpayers. In 1986, Senator GRASSLEY and Congressman BERMAN sponsored amendments to the FCA and its qui tam provisions that revitalized the effectiveness of the FCA as a fraud-fighting tool. Since 1986, the federal government and qui tam relators have worked together to recover over \$21 billion in monies that would otherwise have been lost to fraud, waste or abuse in government programs. The recovery of this enormous sum is a victory for taxpayers, and a demonstration of the success of the FCA and its qui tam model.

Senator GRASSLEY and I first introduced FCA reform legislation in September 2007 because several recent court interpretations of the 1986 FCA amendments had threatened to limit the Act’s effectiveness. Our legislation was designed to correct erroneous interpretations of the FCA’s presentment clause in the 2004 D.C. Circuit case *U.S. ex rel. Totten v. Bombardier Corp.*, and the FCA’s public disclosure bar in the 2007 Supreme Court case *Rockwell International Corp. v. U.S.* Our bill also sought to make further clarifications to the FCA’s scope and application in keeping with the intent of the authors of the 1986 FCA amendments.

In the time since we first introduced this bill last Congress, the need to strengthen Lincoln’s Law has become even more urgent. The economic recession has required massive expansion of federal assistance to various industries, and this has created an increased opportunity for waste, fraud and abuse by recipients of that assistance. As the federal government moves ahead with various economic recovery measures, it is important that we have effective anti-fraud provisions in place to deter and catch those who would abuse public monies and the public trust. We owe this to the American taxpayer.

Also, the False Claims Act Clarification Act of 2009 is further needed in light of the Supreme Court’s June 2008 decision in *Allison Engine Co. v. U.S.*

ex rel. Sanders. In *Allison Engine*, the Supreme Court read the 1986 FCA amendments to include a barrier to liability in subcontractor fraud cases that Congress did not intend. The Allison Engine Court held that in cases involving false claims submitted by a subcontractor to a prime contractor for payment involving federal funds, the plaintiff must prove that the subcontractor intended for the false statement to be used by the prime contractor to get the government to pay its claim. Our legislation makes clear that subcontractors are liable for knowingly perpetrating fraud involving government funds, regardless of whether that fraud was perpetrated directly upon the government or indirectly through another contractor. In light of the numerous levels of subcontractors used in many government contracting arrangements, this statutory fix is necessary to ensure accountability no matter where in the contracting chain the fraud takes place.

The changes that our legislation would make to the FCA are narrowly tailored, but will have a significant impact in catching and deterring fraud. I commend Senator GRASSLEY, the Senate architect of the 1986 FCA amendments, for his devotion to ensuring the effective functioning of the FCA, and I will continue to work with him to better combat waste, fraud and abuse in government programs.

In sum, the False Claims Act Clarification Act will enhance whistleblowers' ability to shine a light on fraudulent conduct involving government funds, and to hold the perpetrators accountable through legitimate qui tam claims. The legislation we are introducing today will strengthen the legacy of Lincoln's Law, and I am pleased to serve as its lead Democratic cosponsor. I urge my colleagues to support its passage.

By Mr. KERRY:

S. 463. A bill to impose limitations on certain expenditures by participants in the Troubled Asset Relief Program; to the Committee on Banking, Housing, and Urban Affairs.

Mr. KERRY. Mr. President, today I am introducing the TARP Taxpayer Protection and Corporate Responsibility Act of 2009. Recently, it was reported that the Northern Trust Corporation threw lavish events in conjunction with the Northern Trust Open. Last year, Northern Trust Company received approximately \$1.6 billion in funds from the Troubled Relief Asset Program and laid off almost 450 employees.

At a time when banks are not lending and need federal assistance, they should not be treating themselves to lavish parties with performances by Sheryl Crow. I supported the Emergency Economic Stabilization Act of 2008 because I believe that we need to help our financial institutions in order to stabilize our economy. However, I firmly believe that every institution receiving funds has a responsibility to appropriately use the federal assistance provided by taxpayers.

I am sick of hearing about financial institutions that are receiving funds and behaving inappropriately. CEOs need to exert leadership during these trying economic times. If they don't, they should repay taxpayers out of their own pocket. Now is not the time to be throwing lavish parties, giving out excessive bonuses, and spending on unnecessary renovations. It is time to focus on how best to restore the economy and for the banks, this means responsible lending.

Northern Trust is not the first TARP recipient company to spend foolishly, but I want it to be the last. For this reason I am introducing the TARP Taxpayer Protection and Corporate Responsibility Act of 2009 which would prohibit TARP recipients from sponsoring, hosting, or paying for entertainment or holiday events during the year in which they receive assistance or the following year. The legislation would give the Secretary of the Treasury the authority to issue waivers and would become effective as of March 1, 2009.

I applaud the action the Obama Administration has taken to address executive compensation and the provisions included in the American Recovery and Reinvestment Act of 2009, but I believe we must do more. The American Recovery and Reinvestment Act requires the Treasury Department to publish guidelines on the use of funds. However, I believe we need to do more than providing guidelines for the use of these funds. As we all know, money is fungible and a TARP recipient can always explain that TARP funds were not used for questionable purposes.

During these difficult economic times, we need to send a message to the American people that we are responsible stewards of public funds. We must try to help companies, but only if they operate in an appropriate and responsible manner which values the assistance of the American taxpayer. At a time when banks are not providing enough lending to small businesses and others, they should not be throwing lavish parties at taxpayer expense, and the claim that these "parties" came out of "operating expenses" rather than taxpayer funds does not pass the laugh test.

I urge my colleagues to review this important legislation.

By Mr. DODD (for himself, Mr. COCHRAN, Mr. KENNEDY, Ms. MIKULSKI, Mr. CASEY, Mrs. LINCOLN, Mr. CARDIN, Mr. ROCKEFELLER, and Mr. NELSON, of Florida):

S. 464. A bill to amend the National and Community Service Act of 1990 to improve the educational awards provided for national service, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. DODD. Mr. President, I rise to introduce four bills today: The AmeriCorps: Together Improving Our Nation (ACTION) Act, the Semester of Service Act, the Summer of Service

Act, and the Encore Service Act—legislation that would offer Americans the opportunity to serve their communities and work to improve their Nation.

As we have discussed time and time again, the challenges facing America are mounting—from a struggling economy, to a broken health care system, to challenges in our schools that put our children's futures at risk.

These are problems that countless Americans have lived and struggled with—that we here in this institution have debated for years, decade even. We can disagree amongst ourselves about how to solve them—and we certainly have.

But what we can all agree on is the impact citizens can make when it comes to facing some of our biggest challenges.

We know the extraordinary things ordinary citizens can accomplish for our communities when given the opportunity—the difference they can make in our schools and nursing homes, in veterans' hospitals and in helping those living on fixed incomes. With these four important pieces of legislation, we are offering citizens of all ages even more opportunities to be involved.

We already harness the enormous power of a dedicated group of individuals looking for ways to serve their communities is through the remarkably successful AmeriCorps program. Last year alone, 75,000 AmeriCorps members gave back to our communities, serving in over 4,000 schools, faith-based and community organizations, and nonprofits across the country. They also brought reinforcements—recruiting another 1.7 million community volunteers to work alongside them. Because of AmeriCorps, our communities have been strengthened, and our democracy fortified.

Unfortunately, as the hours AmeriCorps Members have contributed to our communities have increased, the Segal AmeriCorps Education Award created to help members pay for their college tuition has remained flat at \$4,725. Meanwhile, the average college tuition has skyrocketed. The education award previously paid for two years of college, but currently it does not even cover the cost of single year. I am introducing the AmeriCorps: Together Improving Our Nation, ACTION, Act, in part, to update the education award to keep pace with 15 years of tuition increases.

The ACTION Act will raise the education award to \$6,585 and increase the award annually to match the average tuition at a 4-year public university. That figure, \$6,585 is the average cost of tuition at a four-year public university according to the College Board. The Act will also make the education award tax exempt to ensure that alumni are able to use their entire award to advance their education.

The Summer of Service bill would reach the youngest Americans interested in giving back to their communities, fostering a commitment to service that will last a lifetime. The Summer of Service Act would create a competitive grant program that would enable states and localities to offer middle school students an opportunity to participate in a structured community service program over the summer months. It would employ service-learning to teach civic participation skills, help young people see themselves as resources to their communities, expand educational opportunities and discourage “summer academic slide.” Providing tangible benefits to their communities, Summer of Service projects would direct grantees to work on unmet human, educational, environmental and public safety needs and encourage all youth, regardless of age, income, or disability, to engage in community service. The program would also grant participants with an educational award of up to \$500 which can later be used to pay for college.

The Semester of Service Act also engages students in service-learning at the high school level. We talk so much about ways to improve academic performance in our schools. Well, when service is integrated into our students’ curricula at school, young people make gains on achievement tests. Service-learning results in grade point averages going up, and feelings about high school are that more positive.

And the benefits of service-learning go well beyond the classroom. When young people participate in service activities they feel better able to control their own lives in a positive way. They are less prone to engage in risky behavior, more likely to engage in their own education, and far more aware of the career opportunities before them.

Indeed, research shows that for every dollar we spend on a service-learning project, \$4 worth of service is provided to the community involved. That means by authorizing \$200 million for fiscal year 2009, as the Semester of Service Act does, our country will save more than half a billion dollars in service performed.

This legislation works by creating a competitive grant program that gives school districts, or nonprofits working in partnership with local school districts, the opportunity to have students participate in a semester of service in their junior or senior year for academic credit. These students are required to perform a minimum of 70 hours of service learning activities over 12 weeks, with at least 24 of those hours spent participating in field-based activities—outside of the classroom.

By engaging both the public and private sector, Semester of Service teaches civic participation skills and helps young people see themselves not merely as residents in their communities—but resources to them.

Perhaps, the greatest untapped resource in our communities are older Americans. No one is more ready or more poised to make a difference—in

our communities and throughout our country—than the gaining Baby Boomer generation.

In the next decade alone, the number of Americans 55 years and older is expected to grow another 22 percent. But for all the well-publicized challenges that growth presents, it is time we also recognize something else:

The opportunities it offers—if we seize them.

More than half of those considered a part of the Baby Boomer generation are interested in providing meaningful service to their communities. Countless older men and women who have given so much to their country throughout their lives want to serve as they enter their later years.

They are living longer, healthier lives than any generation in history. And they recognize something elemental:

Life doesn’t end at retirement. For many, it is only beginning—leading perhaps to a second career in the public or nonprofit sector.

We have so much to learn. Indeed, there can be no greater gift passed on to future generations than the lessons of the past. But the truth is, we too often fail to draw upon the experience, knowledge and ideas of previous generations.

What is missing is the opportunity.

Giving older Americans those opportunities is what the Encore Service Act is all about. It creates an Encore Service Program that provides Americans 55 years and older with opportunities to serve communities with the greatest need—to volunteer in our nation’s schools, to help keep our neighborhoods clean, safe and vibrant, and so much more. In return for their service, which may include extensive training and a significant commitment of time, they can receive a stipend and education award, much like AmeriCorps does for younger generations.

Best of all, that stipend can be transferred to children or grandchildren. Imagine what that means for a grandmother or a grandfather who could literally put thousands of dollars into their newborn grandchild’s college savings fund as a result of this program—funds that can only be used after the child turns 18 and can be kept for up to 20 years. Of all the new ideas in this legislation, perhaps this one is the most exciting.

This legislation also creates an Encore Fellows program that places older Americans in one-year management or leadership positions in public or private not-for-profits. These year-long fellowships not only increase the capacity of public service organizations already doing tremendous work in our communities, they also promote those who have already had full, successful careers, perhaps in the private sector, to lend their expertise and experience to the cause of community or public service.

The Encore Service Act also creates a Silver Scholars program that awards older Americans with an education scholarship of up to \$1,000 in exchange for volunteering with public agencies

or private nonprofits between 250 and 500 hours a year. As with the Encore Service Program, they can use these awards for themselves or transfer them to children, grandchildren or other qualified designees.

Lastly, this legislation expands the capacity and builds on the success of current Senior Programs by raising the authorization funding levels for the Foster Grandparent, Senior Corps and RSVP programs. We all know that seniors and these programs have already made a remarkable difference in our communities. That is why our legislation raises program eligibility levels from 125 to 200 percent above poverty and ensures that all programs will be open to any individual 55 years and older.

Contrary to what some suggest, I believe the American people are starved for opportunities to serve—and stand at the ready not just in times of crisis, but every day.

Americans are simply waiting to be asked to serve something greater than themselves, as they originally were by President John F. Kennedy. In introducing this legislation today, we once again remind all Americans of that call to serve.

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## SUBMITTED RESOLUTIONS

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### SENATE RESOLUTION 53—AUTHORIZING A PLAQUE COMMEMORATING THE ROLE OF ENSLAVED AFRICAN AMERICANS IN THE CONSTRUCTION OF THE CAPITOL

Mrs. LINCOLN (for herself, Mr. SCHUMER, Mr. CHAMBLISS, and Mr. BENNETT) submitted the following resolution; which was referred to the Committee on Rules and Administration:

#### S. RES. 53

Whereas enslaved African Americans provided labor essential to the construction of the Capitol;

Whereas enslaved African Americans performed the backbreaking work of quarrying the stone which comprised many of the floors, walls, and columns of the Capitol;

Whereas enslaved African Americans toiled in the Aquia Creek sandstone quarry in Stafford County, Virginia and in a marble quarry in Montgomery County, Maryland to produce the stone that would be used in the Capitol;

Whereas the marble columns in the Old Senate Chamber and the sandstone walls of the East Front corridor remain as the lasting legacies of the enslaved African Americans who worked the quarries;

Whereas enslaved African Americans also participated in other facets of construction of the Capitol, including carpentry, masonry, carting, rafting, roofing, plastering, glazing, painting, and sawing;

Whereas enslaved African Americans labored on the Nation’s Capitol while they, themselves, were not free;

Whereas the contributions of enslaved African Americans in the construction of the Capitol have not been acknowledged nor adequately represented in the Capitol;

Whereas no narrative on the construction of the Capitol that does not include the contributions of enslaved African Americans can fully and accurately reflect the history of the Capitol; and

Whereas recognition of the contributions of enslaved African Americans brings to all people of the United States an understanding of the continuing evolution of democracy: Now, therefore, be it

*Resolved*, That the Senate authorizes and directs—

(1) the Senate Commission on Art to procure an appropriate plaque acknowledging the role of enslaved African Americans in the construction of the Capitol; and

(2) that, under the direction of the Committee on Rules and Administration of the Senate, the plaque shall be placed near the original exterior wall that was constructed between 1793 and 1800 in the East Front corridor on the third floor of the Senate wing of the Capitol.

## NOTICES OF HEARINGS

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate, that the hearing scheduled before Senate Committee on Energy and Natural Resources, for Thursday, February 26, 2009, will begin at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to provide recommendations for reducing energy consumption in buildings through improved implementation of authorized DOE programs and through other innovative federal energy efficiency policies and programs.

For further information, please contact Deborah Estes at (202) 224-5360 or Rosemarie Calabro at (202) 224-5039.

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, March 3, 2009, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to examine the progress on smart grid initiatives authorized in the Energy Independence and Security Act of 2007, and funded in the stimulus bill, and to learn of opportunities and impediments to timely installation of smart grid technologies.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to [Gina.Weinstock@energy.senate.gov](mailto:Gina.Weinstock@energy.senate.gov).

For further information, please contact Leon Lowery at (202) 224-2209 or Gina Weinstock at (202) 224-5684.

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the infor-

mation of the Senate and the public that an oversight hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, March 5, 2009, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to review future directions of energy research and development and to identify key scientific and technological hurdles that must be overcome in order to pursue these new directions.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to [Rosemarie\\_Calabro@energy.senate.gov](mailto:Rosemarie_Calabro@energy.senate.gov).

For further information, please contact Jonathan Epstein at (202) 224-4971 or Rosemarie Calabro at (202) 224-5039.

### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs has rescheduled its February 24th hearing, "Tax Haven Banks and U.S. Tax Compliance—Obtaining the Names of U.S. Clients with Swiss Accounts," to Wednesday, March 4th. This hearing will continue the Subcommittee's examination of financial institutions which are located in offshore tax havens and which use practices that facilitate tax evasion and other misconduct by U.S. clients. One of the banks featured in a July 2008 hearing on this topic is UBS, a major financial institution headquartered in Switzerland. The hearing will examine issues related to a John Doe summons served by the IRS on UBS seeking the names of U.S. clients with UBS Swiss accounts that have not been disclosed to the IRS. In July, UBS representatives estimated that about 19,000 U.S. clients had about \$18 billion in assets in such Swiss accounts. The hearing will examine a recent deferred prosecution agreement involving UBS, the status of the John Doe summons, the role of U.S.-Swiss tax and legal assistance treaties, and the effect of Swiss secrecy laws on U.S. information requests. A witness list will be available Friday, February 27, 2009.

The Subcommittee hearing has been rescheduled for March 4, 2009, at 2:30 p.m., in Room 342 of the Dirksen Senate Office Building. For further information, please contact Bob Roach of the Permanent Subcommittee on Investigations at 202-224-9505.

### AUTHORITY FOR COMMITTEES TO MEET

#### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on February 24, 2009, at 10 a.m.

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

#### COMMITTEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, February 24, 2009, at 2:30 p.m.

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

#### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "Addressing Underinsurance in National Health Reform" on Tuesday, February 24, 2009. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

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

#### COMMITTEE ON VETERANS' AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Tuesday, February 24, 2009, at 2 p.m., in a Joint Hearing with the House Veterans' Affairs Committee to receive testimony from the Disabled American Veterans. The Committee will meet in room 345 of the Cannon Building beginning at 2 p.m.

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

#### SELECT COMMITTEE ON INTELLIGENCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 24, 2009 at 2:30 p.m.

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

#### SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY AND CONSUMER RIGHTS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy and Consumer Rights, be authorized to meet during the session of the Senate, to conduct a hearing entitled "The Ticketmaster/Live Nation Merger: What Does it Mean for Consumers and the Future of the Concert Business?" on Tuesday, February 24, 2009, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building.

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

## PRIVILEGES OF THE FLOOR

Mr. KYL. Madam President, I ask unanimous consent that Kim McIntier of my staff have floor privileges for the duration of the debate on S. 160.

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

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from North Dakota

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 ORDER FOR RECESS AND ORDERS FOR WEDNESDAY, FEBRUARY 25, 2009

Mr. DORGAN. Madam President, I ask unanimous consent that the Senate recess until 8:30 p.m., and that at 8:40 p.m., the Senate proceed as a body to the Hall of the House of Representatives to receive a message from the President of the United States; that upon disposition of the joint session, the Senate adjourn until 9:30 Wednesday, February 25; 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 resume consideration of S. 106, the District of Columbia House Voting Rights Act.

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

## RECESS

Mr. DORGAN. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 5 p.m., recessed until 8:30 p.m. and reassembled when called to order by the Presiding Officer (Mr. BENNET).

The PRESIDING OFFICER. The Senator from Washington.

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 AUTHORIZATION TO APPOINT

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Presiding Officer of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort the President of the United States into the House Chamber for the joint session to be held at 9 p.m. this evening.

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

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 JOINT SESSION OF THE TWO HOUSES—ADDRESS BY THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 111-1)

The PRESIDING OFFICER. Under the previous order, the Senate will pro-

ceed as a body to the Hall of the House of Representatives to receive a message from the President of the United States.

Thereupon, the Senate, preceded by the Deputy Sergeant at Arms, Drew Willison, the Secretary of the Senate, Nancy Erickson, and the Vice President of the United States, Joseph R. Biden, Jr., proceeded to the Hall of the House of Representatives to hear the address by the President of the United States, Barack H. Obama.

(The address delivered by the President of the United States to the joint session of the two Houses of Congress is printed in the proceedings of the House of Representatives in today's RECORD.)

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 ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

At the conclusion of the joint session of the two Houses and in accordance with the order previously entered, at 10:18 p.m., the Senate adjourned until Wednesday, February 25, 2009, at 9:30 a.m.

## EXTENSIONS OF REMARKS

### TRIBUTE TO MARK EDWARDS

#### HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. BACA. Madam Speaker, on May 8th, 2009, the San Bernardino community will gather to honor Mark Edwards as he is presented with the prestigious Golden Baton Award from the San Bernardino Symphony Guild. In the Guild's eighty years of its existence, this will only be the tenth time that this honor has been awarded. The Guild is honoring him not only for his significant contribution to the San Bernardino Symphony but also for his commitment and dedication to the San Bernardino community.

A respected lawyer in the Inland Empire, Mark received his Juris Doctor with Honors from the University of California, Davis. In 1982, he became a Shareholder and Senior Attorney at Reid & Hellyer, A Professional Corporation in San Bernardino. In 1994, Mark became a founding member of the Law Office of Mirau, Edwards, Cannon, Lewin & Tooke, A Professional Corporation in Redlands, where his firm practices transactional law in the areas of business, corporate, tax, real estate and estate planning.

In addition to his law practice, Mark has always been a very active member of the San Bernardino community. As former President and current First Vice President of the San Bernardino Symphony Orchestra, he has also continuously served on the Board of Directors since 1992 and as a Member of the Executive Committee since 1995. In addition, he was actively involved with the San Bernardino Area Chamber of Commerce, serving as President in 1992 and a Member of the Board of Directors as well as the Executive Committee throughout the 1990s.

Known for his passionate and selfless volunteerism, Mark has served as an Elder for the First Presbyterian Church of San Bernardino, Judge Pro-tem for the San Bernardino Superior Court, founder of Leadership San Bernardino, as well as a Member of the Board of Directors for numerous other organizations throughout the Inland Empire. It is obvious that the community has always been important to Mark based on his continual support of both the San Bernardino Symphony and city as a whole.

Madam Speaker, it is my great honor to recognize the service, sacrifice, and dedication of Mark Edwards. His impact on our community over the years serves as a great reminder that a life spent giving back to society is a life of a true patriot.

### RECOGNIZING SCHOOL BOARD RECOGNITION WEEK IN MINNESOTA

#### HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mrs. BACHMANN. Madam Speaker, I am thrilled to recognize hard-working school board members in Minnesota this year during School Board Recognition Week. Throughout the year, school boards across the nation play a vital role in organizing members of the community to participate in our children's education.

Parents, teachers and local leaders are uniquely equipped to meet the needs of students in the classroom. A locally-governed education system requires local involvement. Many of these individuals hold full-time jobs, and yet they selflessly volunteer their time to serving their families and other families in the community by donating their talents and resources through various roles on the school board.

Madam Speaker, I want to thank members of school boards across the State of Minnesota for devoting countless hours and energy towards our children's education and ultimately their future. Additionally, I want to encourage continued involvement to ensure our grandchildren receive the same priceless support from which so many of us benefit. I applaud and join my colleagues in recognizing the individuals who selflessly dedicate their time to this crucial role.

### EARMARK DECLARATION

#### HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Ms. GRANGER. Madam Speaker, consistent with the Republican Leadership's policy on earmarks, I offer the following justification for the projects that I requested that were included in H.R. 1105, the Fiscal Year 2009 Omnibus Appropriations Act.

For the project titled, "Assistance to Improve Water Quality for Tarrant County, TX," in H.R. 1105, Natural Resources Conservation Service, Conservation Operations account, the legal name and address of the requesting entity is Texas AgriLife Research, 113 Jack K. Williams Building 2142 TAMU, College Station, TX 77843-2142. The \$336,000 in the bill supports specialized studies to improve water quality in North Central Texas. The project aims to create a watershed protection plan and improve the water quality in the five reservoirs that supply water for the majority of Fort Worth and fifty-nine surrounding communities. By implementing a watershed protection plan, water quality can be improved in North Central Texas, thereby protecting supply and quality for over 1.6 million residents in the

area. Matching funds are as follows: Texas State Soil and Water Conservation Board (\$740,000), Texas Water Development Board (\$200,000), and the Texas Commission on Environmental Quality (\$542,000). Tarrant Regional Water District and the Texas Water Resources Institute also provide in-kind support.

For the project titled "Child Abuse Training Programs for Judicial Personnel: Victims Act Model Court Project" in H.R. 1105, OJP-Byrne Discretionary Grants account, the legal name and address of the requesting entity is the National Council of Juvenile and Family Court Judges, 1041 North Virginia Street, Third Floor, Reno, Nevada 89503. The \$920,000 in the bill for this project will be used in planning and programming for work in Model Courts and in jurisdictions nationwide, including site-based and local, regional and national interdisciplinary training programs; Model Court site visits; Model Court cross-site visits; All-Sites Meetings; outreach to national State Court Improvement Programs; direct technical assistance to Model Courts and other jurisdictions nationwide; mentoring of non-Model Court jurisdictions; publications for national dissemination; research to evaluate Model Court work; and networking with national organizations. The project focuses on improving court practice in handling child abuse and neglect cases in jurisdictions across the country, and will have significant impact on the over 513,000 children in the nation's foster care systems. The National Council of Juvenile and Family Court Judges is supported by a number of funders both federal, state and private; and national and state-based that supports related work. Supplemental funding for this project has been applied for in the past, as NCJFCJ continually seeks a variety of funding sources for its projects.

For the project titled "Train-the-Trainer (ALERRT)" in H.R. 1105, OJP-Byrne Discretionary Grants account, the legal name and address of the requesting entity is the Texas State University, 601 University Drive, San Marcos, Texas 78666. The \$1,200,000 in the bill for this project will enable Texas State University to build ALERRT's Train-The-Trainer capacity to meet the training needs of the more than 650,000 law enforcement agents across the nation. Since 2002, ALERRT has trained more than 16,000 first responding patrol officers. ALERRT is a program designed to train first responders with tactics they will need to effectively respond to active shooter situations. More than 200 law enforcement agencies, including Texas Christian University Police Department and Ft. Worth Police Department, are on the waiting list for training under ALERRT. Funding would allow these departments to receive training. ALERRT has been awarded more than \$7 million in federal and state funds to bring this Rapid Response training to frontline officers across Texas and the nation. Texas State will provide any required matching funds.

For the project titled "White Settlement Emergency Management, Police, and Fire Department Interoperable Communications

• 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.

Project” in H.R. 1105, OJP-Byrne Discretionary Grants account, the legal name and address of the requesting entity is the City of White Settlement, 214 Meadow Park Drive, White Settlement, TX 76108. The \$500,000 in the bill for this project will allow the City of White Settlement to begin the process of updating the city’s radio equipment. The city is currently not capable of transmitting information between agencies due to aging radio systems and lack of funding. Many times, the ability of first-responders to respond to emergency situations would be enhanced by partnering or sharing resources. The goal is to have direct communications with the City of Fort Worth, the Naval Air Station Joint Reserve Base, Lockheed Martin, and any other local agencies or cities for rapid response to emergency situations. No matching funds are required for this project.

For the project titled “America SCORES Fort Worth Expansion” in H.R. 1105, OJP-Juvenile Justice account, the legal name and address of the requesting entity is the America SCORES, 520 Eighth Avenue, 11th Floor, New York, New York 10018. The \$150,000 in the bill for this project will be used to expand the America SCORES after-school program to at least five new public elementary schools in the Fort Worth area, reaching upwards of 125 additional elementary students in the urban center. The America SCORES model has proven very successful in improving academic performance and physical health among participants, reduces the risks of unsupervised playtime, and combats the epidemics of childhood obesity and violence. America SCORES will match the federal funding with \$150,000 in private funds. All expenses to maintain the expansion in future years will be provided by non-federal sources.

For the project titled “Central City, Fort Worth, Upper Trinity River Basin, TX” in H.R. 1105, Corps of Engineers—Construction account, the legal name and address of the requesting entity is Tarrant Regional Water District, 800 E. Northside Dr., Fort Worth, TX 76102. The aging levee system on the Trinity River is no longer adequate to provide protection for an area adjacent to downtown Fort Worth that is undergoing revitalization. The Army Corps of Engineers recommends in the final Environmental Impact Statement an integrated, comprehensive solution for flood control in this area to include transportation, environmental restoration, and community redevelopment components, including constructing a 1.5-mile flood-control bypass channel. The \$6,000,000 in the bill for this project will be used for excavation of the bypass channel. Matching funds for the entire project include \$64 million from Tarrant Regional Water District, \$10.9 million from the City of Fort Worth, \$9 million from Tarrant County, and \$80.5 million from the local tax financing district.

For the project titled, “Farmers Branch, Tarrant County, TX” in H.R. 1105, Corps of Engineers Sec. 205 account, the legal name and address of the requesting entity is the City of White Settlement, 214 Meadow Park Drive, White Settlement, TX 76108. To improve the channelization of Farmers Branch flowing through the center of White Settlement, the continuing authority provided in this bill will be used for construction of a flood control channel. This channel will mitigate major flooding problems affecting homes and businesses in the area. The City of White Settlement has

passed bonds totaling \$11.5 million for the project.

For the project titled, “Upper Trinity River Basin, TX” in H.R. 1105, Corps of Engineers Investigations account, the legal name and address of the requesting entity is U.S. Army Corps of Engineers, Fort Worth District, 819 Taylor Street, Room 3A32, Fort Worth, TX 76102-0300. The \$382,000 provided in the bill will be used to continue various Corps of Engineers studies in the Upper Trinity River Basin. No matching funds are required.

For the project titled “Cook Children’s Medical Center, Ft. Worth, TX for facilities and equipment” in H.R. 1105, Health Resources and Services Administration (HRSA)—Health Facilities and Services account, the legal name and address of the requesting entity is the Cook Children’s Medical Center, 801 Seventh Avenue, Fort Worth, Texas 76104. The \$666,000 in the bill for this project will be used to purchase Magnetoencephalography (MEG) technology in order for Cook Children’s Medical Center to continue their research in the neurosciences. MEG technology, combined with Cook Children’s existing iMRI and pediatric neuroscience resources, will provide the best available treatment to cure Texas children afflicted with epilepsy, brain tumors, and other devastating neurological disorders. Funds will be used for the purchase of equipment and the construction costs necessary to install the MEG technology. In addition to the federal funding for this project, Cook Children’s plans to raise at least \$5,803,000 in the local community.

For the project titled “Harris Methodist Ft. Worth Hospital, Ft. Worth, TX for facilities and equipment” in H.R. 1105, Health Resources and Services Administration (HRSA)—Health Facilities and Services account, the legal name and address of the requesting entity is the Harris Methodist Fort Worth Hospital, 1301 Pennsylvania Avenue, Fort Worth, Texas 76104. The \$618,000 in the bill for this project will be used for the renovation and construction of a 16-bed palliative care unit. Palliative care is healthcare that specializes in the relief of suffering and the achievement of the best possible quality of life for patients with advanced illness and their families. It is offered simultaneously with all other appropriate medical treatment. Currently, the Harris Methodist Health Foundation is seeking community donations as part of a \$2.2 million campaign. To date, \$537,000 has been raised to help fund the palliative care unit and significant pledges have been made.

For the project titled “Texas Wesleyan University, Ft. Worth, TX for purchase of equipment for the doctoral program in nurse anesthesia practice, including curriculum development” in H.R. 1105, Health Resources and Services Administration (HRSA)—Health Facilities and Services account, the legal name and address of the requesting entity is the Texas Wesleyan University, 1201 Wesleyan St., Fort Worth, Texas 76105-1536. The \$247,000 in the bill for this project will be used by Texas Wesleyan University for equipment costs to support the new on-line Doctorate program in Nurse Anesthesia Practice. Harris Methodist hospital is the primary clinical site for Texas Wesleyan University’s nurse anesthetist program. Funding will be used to upgrade the network and enhance current audio/visual technologies for curriculum development and deployment to support instructional needs

for the new doctoral program. This project will support Texas Wesleyan University’s new Doctorate Program of Nurse Anesthesia Practice, the second doctoral program of its kind in the United States. The objective is to develop a distance learning program (utilizing recent advances in distance learning methodologies) that will provide extended education to full time employed Certified Registered Nurse Anesthetists who are located in rural or metropolitan areas of the United States. This project provides education via new technologies, including distance learning methodologies, and addresses the Healthy People 2010 goal set by HHS to eliminate health disparities. Texas Wesleyan University has provided \$360,000 in private matching funds for this project.

For the project titled “Alliance Airport, Runway Extension, TX” in H.R. 1105, FAA—Airport Improvement Program account, the legal name and address of the requesting entity is Alliance Airport and the City of Fort Worth, TX, 2221 Alliance Boulevard, Ste 100, Fort Worth, TX 76177. The \$1,750,000 for the project in this bill will be used to extend the existing main runway. The extension project includes lengthening the runway by 1,400 feet to 11,000 feet and includes extension of taxiways, relocation of FM Road 156, relocation of a Burlington Northern Santa Fe rail line, and extension of Eagle Parkway. The local share of the project cost will be between \$50 million and \$60 million.

For the project titled “CNG Bus Replacement, Fort Worth Transportation Authority, TX,” in H.R. 1105, Federal Transit Administration—Bus/Bus Facilities account, the legal name and address for the requesting entity is Fort Worth Transportation Authority, The “T,” 1600 E. Lancaster Avenue, Fort Worth, TX 76102. The \$1,425,000 in this bill will be used to continue the replacement of the Fort Worth Transportation Authority’s aging bus fleet and pay for the cost of replacing approximately 3-4 buses with clean-burning natural gas vehicles, wheel chair accessibility and complete with security cameras for driver and passenger safety. This will help advance the T’s overall initiative to make the entire bus fleet 100% wheel chair accessible. Local share of the project cost will be \$1.64 million.

For the project titled, “Interstate-35 W Congestion Relief, TX,” in H.R. 1105, Federal Highways Administration—Interstate Maintenance account, the legal name and address for the requesting entity is City of Fort Worth, TX, 1000 Throckmorton Street, Fort Worth, TX 76102. The \$1,800,000 in the bill will be used to provide congestion relief for I-35W between downtown Fort Worth and SH 114 near the Denton/Tarrant County line. These funds are for engineering and design. Relief of regional congestion along this road segment is critical and would address significant emissions concerns. Additionally, this eventual expansion of I-35W would also continue facilitating economic expansion of north Fort Worth, the Alliance Airport area, northern Tarrant County, as well as enhance access to the renewal work of the Trinity River Vision project. Local share of the project cost will be \$2 million by the Denton County Commissioner’s Court, which is significantly more than the statutory 20 percent.

For the project titled, “Henderson Street Bridge Construction at the Trinity River, Fort Worth, TX,” in H.R. 1105, Federal Highways Administration—Transportation Community

Systems Preservation account, the legal name and address for the requesting entity is City of Fort Worth, TX, 1000 Throckmorton Street, Fort Worth, TX 76102. The \$1,520,000 in the bill will be used for the construction of SH 199 (Henderson Street) and US Business 287 through the Trinity Uptown area of the Trinity River Vision. The aging levee system is no longer adequate to provide protection for an area adjacent to downtown Fort Worth that is undergoing revitalization. The U.S. Army Corps of Engineers recommends in the final Environmental Impact Statement an integrated, comprehensive solution for flood control in this area to include transportation, environmental restoration and community redevelopment components in constructing a 1.5 mile flood-control bypass channel. Local share of the project cost is \$21.485 million.

For the project titled, "City of Fort Worth, TX—Economic Development Initiatives," in H.R. 1105, Housing and Urban Development—Economic Development Initiative account, the legal name and address of the requesting entity is City of Fort Worth, TX, 1000 Throckmorton Street, Fort Worth, TX 76102. The \$285,000 in the bill will be used for property acquisition for land that will be needed to construct the bypass channel of the Trinity River. The aging levee system is no longer adequate to provide protection for an area adjacent to downtown Fort Worth that is undergoing revitalization. The U.S. Army Corps of Engineers recommends in the final Environmental Impact Statement an integrated, comprehensive solution for flood control in this area to include transportation, environmental restoration and community redevelopment components in constructing a 1.5 mile flood-control bypass channel. The local share of the project cost is \$15 million.

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#### HONORING JOEL GORDON

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#### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Joel Gordon of Weatherby Lake, Missouri. Joel is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and earning the most prestigious award of Eagle Scout.

Joel has been very active with his troop, participating in many scout activities. Over the many years Joel has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Joel Gordon for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

SPEECH OF

#### HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 13, 2009*

Mrs. BLACKBURN. Mr. Speaker, yesterday Republicans were shut out of the Stimulus Conference, and this important legislation was decided in the same shady backroom your constituents voted to close in the last election. Americans are in a serious recession, and we need to act quickly to come to a bipartisan agreement. We don't need to rush this critical legislation through so that Members can jet out of town for their vacations.

We know that immediate and permanent tax breaks stimulate the economy. We know that spending does not. Yet, this backroom deal comes with a \$789.5 billion price tag and 9 billion in new spending; tax cuts were sacrificed for new spending! This is no stimulus bill—this is a spending bill. It's time to cancel our vacations, roll up our sleeves and work to bring the real relief that Americans need. I am willing to stay and do real work. I challenge my colleagues to do the same.

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#### HONORING THE NAACP ON ITS 100TH ANNIVERSARY

SPEECH OF

#### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 10, 2009*

Mr. RANGEL. Mr. Speaker, I rise today to recognize the National Association for the Advancement of Colored People (NAACP) for providing 100 years of legal advocacy and justice for all Americans.

One hundred years ago today a coalition of activists, scholars, and intellectuals of various shades gathered together to challenge our United States to live up to the words of the Constitution for all Americans. This founding group was diverse in ethnicity but united in their thirst for equality.

The catalyst behind the group's formation was the 1908 racial attacks against Blacks in Springfield, Illinois, the state capital and the birthplace of President Abraham Lincoln. Disheartened by the violence, which took the lives of two Blacks and five accidental Whites; the group formally organized on February 12, 1909, the birthday of President Lincoln.

A year later, the national office of the NAACP was opened in New York City. W.E.B. DuBois founding publisher of *The Crisis*, the organization's official publication, was instrumental in attracting distinguished African-American literary figures who became the voice of the Harlem Renaissance. The iconic scholar also became the intellectual leader and voice of the NAACP, where he took a strong position in demanding full integration for his people over Booker T. Washington's policy of accommodation.

Due to the rabid racism of the day, the organization grew quickly and reached the peak of its membership during the civil rights struggles of the 1950's and 1960's. Rosa Parks, secretary of the NAACP chapter in Mont-

gomery, Alabama, triggered the famous boycott of the bus system by refusing to give up her seat.

The NAACP's greatest achievements were in the courtroom, where it challenged many of the laws that enshrined segregation. One of the best known cases was *Brown vs. Board of Education*, which in 1954 challenged the "separate but equal" doctrine that was the bulwark of the nation's segregationist policies. Thurgood Marshall, special counsel to the NAACP, led legal arguments before the Supreme Court in that case, as well as many other laws that promoted segregation. Marshall would go on to become the first African-American Justice on the Supreme Court.

The NAACP fought against lynchings, Jim Crow laws, and otherwise challenged the system of laws which denied full citizenship for Blacks. The election of President Barack Obama represents a culmination of the NAACP's efforts over the years, particularly in gaining full voting rights for African-Americans.

The work of the NAACP has not been without danger. Many NAACP members and staff have been victims of racial violence. Perhaps the best known, was the assassination of Medgar Evers, the NAACP field secretary in Mississippi, in 1962.

The NAACP has many heroes across the country who have sacrificed in order to fulfill our nation's promise of democracy and freedom. Among the organization's heroes are my good friends, Hazel Dukes and Percy Sutton. Ms. Dukes participated in many NAACP marches and was arrested several times as a protester. She has also served as president of a New York chapter and national president of the organization. Percy Sutton, a long time member and former president of the NAACP, represented many civil rights workers, including Malcolm X. I salute them for their dedication to this organization.

Ben Jealous, the new leader of the NAACP, has pointed out a new set of challenges to be addressed in the years ahead. Among them are racial injustices in the criminal justice system, improving educational resources, and removing any remaining obstacles to economic development. The challenges may be different from those addressed during the first 100 years, but they are no less important.

Mr. Speaker, I proudly ask you and my colleagues in joining me in honoring the NAACP for 100 years of distinguished service to our country.

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#### CAPTIVE PRIMATE SAFETY ACT

SPEECH OF

#### HON. JAMES A. HIMES

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Monday, February 23, 2009*

Mr. HIMES. Mr. Speaker, I rise in support of H.R. 80, the Captive Primate Safety Act, a bill that will protect public health and safety as well as animal welfare by prohibiting interstate commerce in primates from the exotic pet trade.

Last week, a woman from my district was brutally attacked and nearly killed by a chimpanzee that had been kept as a pet in a private home. Though the victim is currently receiving treatment at a specialized clinic, it is very likely that her wounds are grave and the effects lifelong.

An estimated 15,000 primates are in private hands in the United States, and while some may think chimpanzees and monkeys are good pets, last week's incident made tragically clear that these animals are unsafe when not under supervision of trained professionals. According to the Captive Wild Animal Protection Coalition, at least 100 people have been injured by captive primates over the past decade.

Currently, twenty states prohibit keeping primates as pets, and the importation of such animals into the United States for the pet trade has been prohibited by federal law since 1975. Nevertheless, primates such as the one involved in last week's tragic incident in Stamford are bred in the United States and are readily available for purchase from exotic animal dealers and on the Internet.

By adding primates to the list of animals that cannot be purchased or transported as pets across state lines by individuals, H.R. 80 targets the pet trade and does not affect trade or transportation of animals between zoos, research facilities, or other federally licensed and regulated entities. This is a targeted, common-sense bill that will further protect our communities and promote animal welfare, and I urge my colleagues to support the bill.

STOP CHILD ABUSE IN RESIDENTIAL PROGRAMS FOR TEENS ACT OF 2009

SPEECH OF

**HON. MICHELE BACHMANN**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Monday, February 23, 2009*

Mrs. BACHMANN. Mr. Speaker, as a mother and a former foster mother to 23 troubled teens, I strongly believe in the important role of the parent or legal guardian in a child's life. This is especially true when it comes to matters as serious as the health and wellbeing of that child. Prescription drugs, such as medication to treat psychiatric conditions, can have a major impact on the mind and body of an adult, let alone the young mind and body of a child. And, let's be clear: As adult as today's teens like to appear, they are still very much children in need of adult guidance. Critical decisions regarding the administration of prescription medications should only be made by a qualified medical doctor with the express consent of a parent or legal guardian.

Consider contraception, for example. Contraceptives can cause serious medical problems like blood clots and migraine headaches. Even worse, they can be dispensed in certain combinations to prevent implantation of new baby, a form of abortion that many parents and young girls find morally reprehensible. This "morning after pill" can also be used to hide evidence of sexual abuse, one of the very forms of abuse that this legislation is seeking to prevent.

Unfortunately, H.R. 911 would not only allow residential treatment facilities to change a child's prescription medication without the consent of her or his parent or legal guardian, but without even consulting them. Committee Republicans offered language to require consent before such a change in prescription medication, but it was defeated during committee consideration, almost by party line. The right

of consent is a necessary component of any decision affecting the life of a child, and should be explicitly stated in this legislation.

Mr. Speaker, the parents and guardians that have raised and cared for these children know and understand their children and their medical histories best. Without language requiring consent prior to any change in prescription medication, the potential positive impact of this legislation is lost, and so is the important role of the parent in the life of his or her child.

I urge my colleagues to oppose this bill.

TRIBUTE TO HOWARD V. GARY

**HON. KENDRICK B. MEEK**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. MEEK of Florida. Madam Speaker, I rise to pay tribute to the life and legacy of the late Mr. Howard V. Gary, a beloved community leader in my district often credited with helping re-shape downtown Miami, who recently passed away after a five year battle with cancer.

Born on January 13, 1947, in Harlem Hospital in New York, Mr. Gary's mother moved her two sons to Miami where her family lived early in his life. He graduated from Miami Northwestern Senior High School. He continued his education by earning a bachelor's degree in political science and business administration from Morehouse College before earning a master's degree in public policy from the University of Michigan.

One of the most influential figures in Mr. Gary's life was his uncle Mr. Charles Hadley. Not only did Mr. Hadley help to take care of his family, but he was also a force in Miami politics who politicians relied on to get out the black vote.

Mr. Gary was budget director in Newark, New Jersey, before relocating to South Florida in 1976 as Miami's budget and management director. He made history in the City of Miami when he was hired as the first African-American to serve as City Manager. Just 35 years old when appointed, Mr. Gary was praised for his effective management, guiding the city through the completion of MetroRail and the construction of the downtown people mover. Bayside Marketplace was conceived under his leadership as a way to revitalize downtown Miami and the declining bayfront area.

After leaving public office, Mr. Gary dedicated his life to becoming a successful bond dealer. Howard Gary and Co., the firm he owned, had been involved in 123 bond deals around the country since 1992.

Madam Speaker, I ask that my distinguished colleagues join me in recognizing Mr. Gary's extraordinary life and many accomplishments within the South Florida community. I appreciate this opportunity to pay tribute to him before the United States House of Representatives. Moreover, Mr. Howard V. Gary was blessed with a loving family who took pleasure in every aspect of his professional career and his personal interests.

RECOGNIZING DR. SAM HORTON DURING BLACK HISTORY MONTH

**HON. KATHY CASTOR**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Ms. CASTOR. Madam Speaker, I rise today to pay tribute to Dr. Sam Horton and to acknowledge his contributions to the Tampa Bay area.

Sam Horton, a native of rural Hillsborough County, is a direct descendant of a founding family of the historical township of Bealsville. Bealsville was founded by 12 freed slave families after the Civil War. The courageous group homesteaded by clearing their lands, built homes and began to farm the land. They were dedicated to building a life of hope and faith in God based on their newfound freedom.

Dr. Horton was educated in Florida starting with Glover Elementary and Marshall High School in Plant City. He received his Bachelor's degree at Florida A&M University in 1949 and his Doctorate at Nova Southeastern University in Ft. Lauderdale.

Dr. Horton immersed himself into the Tampa community after finishing his education. He started teaching in the Hillsborough County School District in 1949, becoming a principal in 1965. Dr. Horton's passion for education and his community inspired him to establish a local chapter of the National Alliance of Black School Educators. Dr. Horton began to mentor and encourage black educators in hopes of broadening the pool of talented educators. He devoted free time to Phi Beta Sigma Fraternity, Beulah Baptist Church, the Guardsmen and the NAACP.

Dr. Horton's career included a major first. He became the first black General Director for Secondary Education in the Hillsborough County School District in 1978. As a district administrator, he travelled several times to the African continent consulting with educators to help them improve their educational systems. Dr. Horton retired from the school system in 1991. The district honored him by naming the Jefferson High School Stadium the Dr. Sam Horton Stadium.

Dr. Horton served as president of the Hillsborough NAACP. During his tenure, he consolidated the Tampa and Plant City branches. Working closely with the NAACP Legal Defense Fund, Dr. Horton publicly opposed education plans that would lead to more segregated schools in Hillsborough County. He also co-founded the Empowerment Center which helps black entrepreneurs and provides tutoring for children. Dr. Horton has encouraged many local youths to participate in national academic and arts driven competitions, NAACP's ACT-SO, exposing these youths to top universities, colleges, and scholarships.

Dr. Horton was married to his wife, Doris, for 55 years and is the father of Sheila Warren and Dawyan Horton. He is the proud grandfather of Exley Jr. and Michael Warren, Clifton, Jason and Erin Horton. Michael and Exley are following in their grandfather's footsteps by teaching in Florida public schools.

The Tampa community honors Dr. Sam Horton for his outstanding contributions to the Tampa Bay area. His career in education serves as an inspiration and will continue to influence the lives of students and educators he touched in our community and abroad.

HONORING SPENCER SMITH

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Spencer Smith of Kansas City, Missouri. Spencer is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and earning the most prestigious award of Eagle Scout.

Spencer has been very active with his troop, participating in many scout activities. Over the many years Spencer has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Spencer Smith for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

AMERICAN RECOVERY AND  
REINVESTMENT ACT OF 2009

SPEECH OF

**HON. MARSHA BLACKBURN**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 13, 2009*

Mrs. BLACKBURN. Mr. Speaker, by definition, stimulus is to be immediate, focused, and targeted. This "stimulus bill" is no stimulus—it's spending.

The House version was packed with pork for projects like: \$3 billion for the Prevention and Wellness Fund for immunizations, including \$335 million for STD prevention programs; \$800 million to make capital grants to Amtrak; and \$600 million for GSA to replace a portion of federal motor vehicles with a plug-in.

The Senate Version added: \$400 million for a Social Services Block Grant; \$125 million for DC sewers; \$500 million for NASA exploration activities; \$300 million for FBI Construction; \$2 billion for FutureGen; \$100 million for National School lunch program equipment assistance; and \$70 million for energy efficient visitor centers.

Americans know that not all spending is stimulus. If it can't produce a job THIS YEAR—let's not spend it!

IN RECOGNITION OF ROBERT  
SANCHEZ**HON. HILDA L. SOLIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Ms. SOLIS of California. Madam Speaker, I rise today to honor the career of Robert Sanchez, a guidance counselor formerly at La Puente High School in California.

While I was a high school student at La Puente I was fortunate enough to have Mr. Sanchez as my college guidance counselor. Each day he worked tirelessly to promote education in our school and in our community.

During my senior year in high school, Mr. Sanchez took a vested interest in my education. He personally took time to explain the college application process to me and my family and helped show me how I could go to college.

At the time no one else in my family had attended college. College seemed to be an unattainable goal, and the college application process was both expensive and daunting. If not for Mr. Sanchez's counseling and guidance, I do not know that I would have been able to go on to pursue a college education.

For youths across our nation, high school teachers and counselors are a vital part of their education with the power to influence a student's decision to pursue higher education or not. I stand here today to honor those teachers and guidance counselors, like Robert Sanchez, who work each day in our schools, with little recognition or accolades, to place the dreams of knowledge and a better future back into the hands of our children.

Robert Sanchez has dedicated his life to motivating and educating countless youths in Los Angeles County and San Diego, California. Thank you, Mr. Sanchez, for never giving up on our children.

HONORING BENJAMIN VLEISIDES

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Benjamin Vleisides of Parkville, Missouri. Benjamin is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and earning the most prestigious award of Eagle Scout.

Benjamin has been very active with his troop, participating in many scout activities. Over the many years Benjamin has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Benjamin Vleisides for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING BET NETWORK'S TV  
SERIES, "HARLEM HEIGHTS"**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. RANGEL. Madam Speaker, today I rise to congratulate Randolph D. Sturup and Kurt Williamson for creating BET Network's latest television series, "Harlem Heights," premiering on March 2, 2009 at my beloved Harlem's grandest stage, the Apollo Theatre.

Harlem Heights is a half-hour reality docudrama highlighting the ups and downs of seven young African-American professionals struggling to balance hectic work schedules with complicated social lives. It offers a window into the fascinating world of New York's

young, Black and fabulous crowd. Picking up where college leaves off, the show features a diverse cast of twenty-somethings with different backgrounds and personalities but common goals: making the post college leap into adulthood and finding love and success in the big city on their own terms.

The concept of Harlem Heights evolved from the creator's deep fascination with Harlem and the Harlem Renaissance. Some of our most prolific leaders from the past in the world of literature and music such as Langston Hughes, Claude McKay, Zora Neale Hurston, and Richard Wright all lived in Harlem and started their careers there. Randy and Kurt wanted to tell the story of a group of friends all between the ages of 25–30 who represent the new Harlem renaissance and all live within the world's most famous neighborhood. The show explores the ups and downs of being in your mid-twenties in the chapter post college. Some of the issues they explore in the series include: career transition, love, life challenges, and community.

Harlem has gone through many changes. In the 1950s Harlem was predominately Black and was a thriving community. The pulse of American culture always began in Harlem through the musical and literature influences. Also Harlem is the home of some of our great political figures during the civil rights movement. There are so many historical landmarks in Harlem such as the Apollo Theater, Cotton Club, Grant's Tomb, and Abyssinian Baptist Church. Over the next two decades Harlem became a symbol of urban decay with crime and drugs that infested the community. In recent years, the Harlem community has emerged as a place of opportunity and resurgence. There's a climate of change and progression within Harlem that is symbolic and parallel to the lives of the cast of Harlem Heights. This show represents the new renaissance of young, talented and successful African-Americans that are emerging as leaders and trendsetters within the Harlem community.

So Madam Speaker, I ask that in this Black History Month, that you and my distinguished colleagues join me in celebrating the creation of such a remarkable and impressive series that all Americans can equally enjoy.

EARMARK DECLARATION

**HON. GINNY BROWN-WAITE**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, pursuant to the Republican Leadership standards on member requests, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding requests I received as part of H.R. 1105, the Omnibus Appropriations Act of 2009.

I received six projects in H.R. 1105. They include:

\$416,000 shared by FL, CA, and TX for the Florida Shellfish Aquaculture Project located at PO Box 89, Cedar Key, FL 32625. This request, funded through the Cooperative State Research Education and Extension Service, SRG account, will fund research needs for Florida's shellfish aquaculture industries. This project will address areas, such as genetics,

product quality, health management, and species diversification, which warrant special attention in the years to come as well as immediate needs and concerns of the emergent clam farming industry, such as gear comparisons, specialization of harvesting equipment. This project will address these and other high priority needs by conducting applied multi-disciplinary research and demonstration projects involving partnerships with University of Florida researchers, extension faculty, and industry.

\$100,000 for the Levy County Sheriff's Office located at PO Drawer 1719, Bronson, FL 32621. This request, funded through the Department of Justice, OJP Byrne Discretionary Grants account, will help the Levy County Multi-Jurisdictional Task Force facilitate illegal drug investigations in Levy County. The Levy County Multi-Jurisdictional Task Force was established due to ever increasing illegal drug activities in Levy County. Levy County is a rural farming community that covers approximately 1,137 square miles of land and 50 miles of coastline along the Gulf of Mexico. The drug related activities in this area have increased to the point that arrests have over doubled since the Task Force was established. Methamphetamine, Marijuana and Crack/Cocaine are all drugs of choice within Levy County. In the last year alone, the Task Force conducted over 383 investigations that led to the apprehension of over 252 drug offenders, the seizure of 287.65 grams of powder or crack cocaine, 4.41 pounds of marijuana, 517 marijuana plants and 447.62 grams of other dangerous drugs.

\$400,000 for the Lake County Board of County Commissioners located at 315 West Main St., P.O. Box 780, Tavares, FL 32778. This request, funded through the Department of Justice, COPS Law Enforcement Technology account, will be used for equipment and technology for the Emergency Operations Center in Lake County. Funding for this program will go towards an 800 Mhz radio system and for equipment and technology for the Emergency Operations Center of the County. An 800 MHZ radio system will allow for the coordination of Lake County's police, fire, emergency medical services in emergency and disaster situations. The project would allow for portable radio communications across the county, which is currently not possible. Service will be provided to all county public agencies, 14 municipalities, 13 law enforcement agencies, 13 fire services, the County Emergency Medical Service, 5 Animal Service agencies and Emergency Management. Additionally, funding will allow for the acquisition of technology equipment for an Emergency Operations Center, so that emergency response and communication is improved through connectivity via computer systems, data system hardening and backup, satellite, video and conferencing, and remote incident command centers. Technology will enhance communication capabilities with links to various radio networks (ham operators) and call-center operations.

\$1,500,000 for the Crystal River National Wildlife Refuge located at 1502 S.E. Kings Bay Drive, Crystal River, FL 34429. This request, funded through the Fish and Wildlife Service, Land Acquisition account, will be used to acquire the Three Sisters Springs tract in Crystal River, Florida. The U.S. Fish and Wildlife Service has an opportunity to acquire

a 57 acre parcel known as Three Sisters Springs. This parcel would protect and enhance habitats used extensively by the federally endangered West Indian Manatee. Subject lands consist of 45 acres of uplands, 11 acres of wetlands (including and 8 acre fresh water lake filled by underground springs), and 1 acre of water bottoms (including three fresh water springs that are part of a system of approximately 30 springs that feed the headwaters of the Crystal River). Each of the springs is designated by the State of Florida as 2nd Magnitude.

\$380,000 for the Citrus County Board of County Commissioners located at 110 N. Apopka Avenue, Inverness, FL 34450. This request, funded through the Transportation, Community and System Preservation account, will be used to eliminate water runoff from U.S. Highway 19. For this coastal area of the county, the watershed master plan was completed in 2002. It identified an area of critical concern concerning water runoff from nearby development as well as U.S. Highway 19. The highway has been designated by the State for near term widening and does not include additional storm water catchments. This area, known as the Southfork area near Homosassa in Citrus County, drains into pristine wetlands. The county has recognized the need to capture and treat storm water runoff before it reaches these areas. The County, with matching funds from the regional water management district, has spent to date over \$1,000,000 in acquiring land east of U.S. Highway 19 to act as a pre-catchment area. The County does not have sufficient funds to purchase the needed land west of U.S. Highway 19 and build the necessary structures for storm water treatment.

\$767,000 and \$599,000 for the SubTropical Agricultural Research Station (STARS) located at 22271 Chinsegut Hill Road, Brooksville, FL 34601. This request, funded through the Agricultural Research Service, Salaries and Expenses account, will be used for continued funding of the SubTropical Agricultural Research Station (Improved Cow-Beef Operations of Water Quality and Subtropical Beef Germplasm). The subtropical United States, including Florida, accounts for nearly 40 percent of the nation's cow-calf herd. These funds will be used to conduct research to support the cattle industry of Florida and the southeast aimed at boosting efficiency, safety and environmental responsibility.

#### HONORING CHRISTOPHER WOODS

#### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Christopher Woods of Kansas City, Missouri. Christopher is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and earning the most prestigious award of Eagle Scout.

Christopher has been very active with his troop, participating in many scout activities. Over the many years Christopher has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Christopher Woods for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### EARMARK DECLARATION

#### HON. ADAM H. PUTNAM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. PUTNAM. Madam Speaker, I submit the following:

OMNIBUS FUNDING AWARD FOR HILLSBOROUGH COUNTY METHAMPHETAMINE ENFORCEMENT AND CLEANUP PROJECT

Requesting Member: Congressman ADAM H. PUTNAM.

Bill Number: H.R. 1105.

Account: Department of Justice—Community Oriented Policing Services (COPS).

Project Funding Amount: \$250,000.

Legal Name of Requesting Entity: Hillsborough County.

Address of Requesting Entity: 3110 Clay Mangum Lane, Tampa, Florida 33618.

Description of Request: On behalf of Hillsborough County, I respectfully requested \$250,000 in funding for the county's Methamphetamine Enforcement and Cleanup project. Methamphetamine use and distribution is a major problem in the Tampa Bay/Hillsborough County area. Realizing that methamphetamine has clear and tragic consequences, whether it's the obvious striking physical and mental affects or the cleanup of the toxic production laboratories, Hillsborough County will use this funding to combat this problem through meth prevention, treatment, and the cleanup of drug sites.

OMNIBUS FUNDING AWARD FOR THE POLK COUNTY SHERIFF'S OFFICE METHAMPHETAMINE PREVENTION PROJECT

Requesting Member: Congressman ADAM H. PUTNAM.

Bill Number: H.R. 1105.

Account: Department of Justice—COPS Methamphetamine Enforcement.

Project Funding Amount: \$250,000.

Legal Name of Requesting Entity: Polk County Sheriff.

Address of Requesting Entity: 455 North Broadway Avenue, Bartow, Florida 33830.

Description of Request: The Polk County Sheriff's Office has placed an earmark request of \$250,000 in continued funding for the Polk County Methamphetamine Project. This critical program has received previous federal funding to carry out methamphetamine prevention and mitigation programs that have shown positive results in cracking down on the growth of methamphetamine production and distribution in central Florida. This funding will cover equipment and training, thus enabling the Polk County Sheriff's Office (PCSO) to make a dedicated effort to combat the distribution and use of methamphetamine in Polk County, Florida. From 2003 through 2007, the PCSO made 3,481 methamphetamine related arrests, seized over 150,000 grams of methamphetamine, and eliminated 27 methamphetamine labs.

OMNIBUS FUNDING AWARD FOR FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION: THE COOPERATIVE REEF FISH MONITORING AND RESEARCH PROGRAM

Requesting Member: Congressman ADAM H. PUTNAM.

Bill Number: H.R. 1105, the Omnibus Appropriations Act, 2009—Division B—Commerce, Justice, Science, and Related Agencies Appropriations Act, 2009.

Account: Department of Commerce (National Oceanic and Atmospheric Association).

Project Funding Amount: \$1,000,000.00.

Legal Name of Requesting Entity: Florida Fish and Wildlife Conservation Commission.

Address of Requesting Entity: 620 S. Meridian St., Tallahassee, FL 32399-1600.

Description of Request: The Florida Fish and Wildlife Conservation Commission (FWC) is seeking \$1 million in Federal funds in FY 2010 to continue implementation of the Cooperative Reef Fish Monitoring and Research Program, a partnership between FWC and the National Marine Fisheries Service (NMFS). Public criticism of fishery-related science used in management decisions highlights the need for data that has the confidence of regulators and the public. FWC and NMFS are building long-term information for improving stock assessments and management of important reef fisheries in the eastern Gulf of Mexico, with a goal of ensuring a sustainable snapper-groupers fishery. This partnership increases integration of institutional resources, knowledge, and expertise, in an efficient and cost-effective manner. During FY 2008 and 2009—part of a three-year pilot phase—FWC and NMFS staffs have focused on developing scientific sampling protocols, identifying critical data gaps, and integrating existing state and federal fisheries sampling programs. Following this pilot phase, permanent authorization for this program will ensure that State and Federal fisheries managers have access to long-term status and trend information to support science-based and proactive fisheries management decisions.

HONORING NICHOLAS ROBERT  
RITTER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Nicholas Robert Ritter of Liberty, Missouri. Nicholas is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 134, and earning the most prestigious award of Eagle Scout.

Nicholas has been very active with his troop, participating in many scout activities. Over the many years Nicholas has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Nicholas Robert Ritter for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

EARMARK DECLARATION

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. PETRI. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding earmarks I received as part of H.R. 1105, FY 2009 Omnibus Appropriations Act:

Requesting Member: The Honorable THOMAS E. PETRI

Bill Number: H.R. 1105

Account: Division A—Agriculture, Rural Development, Food and Drug Administration, and Related Agencies—NRCS—Conservation Operations

Legal Name of Requesting Entity: Natural Resources Conservation Service

Address of Requesting Entity: Eisenhower Corporate Park, 2805 S. Industrial Hwy, Suite 100, Ann Arbor, MI 48104-6791.

Description of Request: The \$404,000 appropriation will be used for grants and technical assistance, demonstration grants, and information/educational activities related to soil erosion and sediment control of the Great Lakes. This request has been made with numerous Members and Senators of the Congressional Great Lakes Task Force.

Account: Division B—Commerce, Justice, Science, and Related Agencies—COPSTECH

Legal Name of Requesting Entity: City of Fond du Lac, Wisconsin

Address of Requesting Entity: City County Government Center, 160 S. Macy Street, P.O. Box 150, Fond du Lac, WI 54935-0150.

Description of Request: Will provide \$385,000 to the City of Fond du Lac to replace all mobile and portable radios used by the Fond du Lac, Wisconsin, Police Department with radios that are P25 compliant. The Fond du Lac Police Department is the largest police agency in Fond du Lac County, and this project will further provide the Department with equipment that is compatible with other agencies' communication systems, particularly in times of emergencies when multiple jurisdiction interaction is required. This request covers the cost of programming, ancillary equipment, and installation of the radios (mobiles).

Account: Division B—Commerce, Justice, Science, and Related Agencies—OJP—Byrne Discretionary Grants

Legal Name of Requesting Entity: The Fox Valley Child Advocacy Center—Children's Hospital of Wisconsin

Address of Requesting Entity: Concorde Building, 325 N. Commercial St., Suite 400, Neenah, WI 54956.

Description of Request: The Fox Valley Child Advocacy Center, an entity of Children's Hospital of Wisconsin—Fox Valley and not-for-profit, serves as a Child Advocacy Center for Winnebago, Calumet, and Outagamie Counties. Since its inception in 2004, the Fox Valley Child Advocacy Center has had a major impact in the manner in which investigations of child abuse and neglect have been conducted in the Fox Valley. So far, about 1,000 children have been served at the Center. The \$115,000 appropriation will be used to enhance the Child Advocacy Center (CAC) by supporting new staff positions as well as pur-

chasing computer and office equipment. These enhancements will allow the CAC to take on more child abuse cases. The appropriation will be matched by private dollars. The federal government has taken responsibility to ensure that all victims of violent crimes receive adequate investigation and victim services through programs like VOCA, VAWA and the Children's Justice Act. Federal Byrne grants have also been used in many states to support efforts like Child Advocacy Centers.

Account: Division C—Energy and Water Development—Operations & Maintenance

Legal Name of Requesting Entity: U.S. Army Corps of Engineers, Detroit District

Address of Requesting Entity: P.O. Box 1027, Detroit, MI 48231.

Description of Request: The appropriation will provide \$754,000 to the U.S. Army Corps of Engineers, Detroit District, to restore and maintain navigable channels within the Federal Project Limits at Two Rivers Harbor. The outer harbor was last dredged in 2005 and now is experiencing shoaling problems that resulted in the issuance of a Notice to Navigation Interests by the Corps of Engineers in September 2007. This request also includes funding for dredging the upstream on the East Twin River between the 17th Street and 22nd Street bridges, to a project depth of 10 feet. This section of the Federal Channel was last dredged in 1980, and in some areas is now as shallow as 3.5 feet. The project will benefit various harbor and river users by continuing to provide safe, reliable access to Lake Michigan from all properties located adjacent to the Federal Channel. This project has been requested along with Senator HERB KOHL (WI).

Account: Division C—Energy and Water Development—General Investigations

Legal Name of Requesting Entity: U.S. Army Engineer Division, Great Lakes & Ohio River Division.

Address of Requesting Entity: 550 Main Street, Room 10032, Cincinnati, OH 45202.

Description of Request: The \$1,195,000 appropriation will allow the U.S. Army Engineer Division, Great Lakes & Ohio River Division's Remedial Action Plan (RAP) Committees to identify specific actions to resolve pollution problems by coordinating with the Corps of Engineers in dredging and sediment cleanups. This request was made with numerous Members and Senators of the Congressional Great Lakes Task Force.

Account: Division C—Energy and Water Development—Construction

Legal Name of Requesting Entity: U.S. Army Engineer District, Chicago

Address of Requesting Entity: 111 North Canal Street, Suite 600, Chicago, IL 60606.

Description of Request: The \$5.75 million appropriation will provide the U.S. Army Engineer District, Chicago, the ability to continue construction and operation of the electric dispersal barrier in the canal. \$500,000 has also been allocated for dispersal barrier II. These requests have been made with numerous Members and Senators of the Congressional Great Lakes Task Force.

Account: Division E—Interior, Environment, and Related Agencies—National Park Service, from the Land Acquisition and State Assistance Account

Legal Name of Requesting Entity: Ice Age Park & Trail Foundation

Address of Requesting Entity: 306 East Wilson Street, Lower Level, Madison, WI 53703.

Description of Request: The Ice Age Park & Trail Foundation (IAP&TF) is the principal non-profit partner of the National Park Service and the Wisconsin Department of Natural Resources in preserving, developing, sustaining, and operating the Ice Age National Scenic Trail (IANST) and the Ice Age National Scientific Reserve (IANSR) for public appreciation and enjoyment. The Ice Age Trail is one of only eight Congressionally authorized National Scenic Trails in the National Trails System. The \$1,000,000 appropriation will allow the National Park Service to continue acquisition of the authorized interpretive site for the Ice Age Trail in Dane County and for the Park Service to grant to the State of Wisconsin to be matched by state, local and private funds for Ice Age Trail acquisition in Chippewa, Dane, Kewaunee, Langlade, Lincoln, Manitowoc, Marathon, Polk, Portage, Sheboygan, Taylor, Walworth, Washington, Waupaca, and Waushara counties. This project has been requested along with other Members of Congress.

Account: Division E—Interior, Environment, and Related Agencies—National Park Service, Construction

Legal Name of Requesting Entity: Ice Age Park & Trail Foundation

Address of Requesting Entity: 306 East Wilson Street, Lower Level, Madison, WI 53703.

Description of Request: The Ice Age Park & Trail Foundation (IAP&TF) is the principal non-profit partner of the National Park Service and the Wisconsin Department of Natural Resources in preserving, developing, sustaining, and operating the Ice Age National Scenic Trail (IANST) and the Ice Age National Scientific Reserve (IANSR) for public appreciation and enjoyment. The Ice Age Trail is one of only eight Congressionally authorized National Scenic Trails in the National Trails System. The \$125,000 appropriation will be used to open new properties to the public. Activities that would be accelerated by this funding include: property boundary marking, baseline documentation (for easements), invasive species control and ecosystem restoration, equipment purchase, construction of the Trail tread and bridges, signing the Trail to established standards and developing public access facilities such as parking lots. Since the year 2000, over 7,300 acres have been acquired to protect over 43 miles of the Ice Age National Scenic Trail. This project has been requested along with other Members of Congress.

Account: Division E—Interior, Environment, and Related Agencies—EPA/STAG Water and Waste Water Infrastructure Project

Legal Name of Requesting Entity: Heart of the Valley Metropolitan Sewerage District

Address of Requesting Entity: P.O. Box 187, Kaukauna, WI 54130.

Description of Request: The \$300,000 appropriation will be used to develop improvements in sanitary sewer rehabilitation, inspection, cleaning, maintenance, and sanitary sewer overflow prevention. The Heart of the Valley Metropolitan Sewerage District encompasses the communities of Kaukauna, Little Chute, Combined Locks, Kimberly and the Darboy Joint Sanitary District of Wisconsin. This project has been requested along with Senator HERB KOHL (WI).

Account: Division F—Labor, Health and Human Services, Education, and Related Agencies—Fund for the Improvement of Post Secondary Education (FIPSE)

Legal Name of Requesting Entity: Lake-Shore Technical College

Address of Requesting Entity: 1290 North Ave., Cleveland, WI 53015

Description of Request: To resolve current and projected manufacturing workforce needs and to remain current with advancing technologies, Lakeshore Technical College (LTC) is in the process of creating a Center for Manufacturing Excellence. Manufacturing is the largest employment sector in LTC's district and employers cite a shortage of skilled workers. The Manufacturing Center is projected to cost \$7.4 million. The first phase opened in 2007. The federal appropriation of \$238,000 will support the second phase which will improve the quality and relevance of education by integrating advanced manufacturing technology equipment into the electromechanical and machine tool laboratories. The federal funds also will be used to hire and train additional faculty. The federal government has a vital interest in ensuring our workforce is able to meet the demands of the today's economy and respond to the changing technology, while offering employment opportunities.

Account: Division F—Labor, Health and Human Services, Education, and Related Agencies—Fund for the Improvement of Post Secondary Education (FIPSE)

Legal Name of Requesting Entity: Marian College (recently renamed Marian University)

Address of Requesting Entity: 45 South National Ave, Fond du Lac, WI 54935.

Description of Request: \$190,000 will be used to establish a collaborative abilities-based Master's Program in Nursing Education. The establishment of this program is designed to address the shortage of nurse educators, thereby expanding opportunities for students to get degrees in nursing. Through this program, Marian College (University) proposes to create the relationships and infrastructure to support collaborative agreements among a group of nursing programs at colleges, universities, and technical colleges within Wisconsin. Although the proposed program would have as its primary focus nursing education, students would be able to obtain advanced clinical preparation in specialty areas. This venture would be the first in Wisconsin to join private and public colleges in order to create new models that wisely use the scarce faculty resources available. Specifically, the federal dollars will be used for faculty, staff, equipment and travel. Marian College plans to spend \$550,000 on this effort using its own resources and private funding sources outside of Marian College. The establishment of this program is designed to address the shortage of nurse educators, thereby expanding opportunities for students to get degrees in nursing. This will address a national and state-wide need for nurses as identified by Wisconsin's Department of Workforce Development.

Account: Division F—Labor, Health and Human Services, Education, and Related Agencies—Fund for the Improvement of Post Secondary Education (FIPSE)

Legal Name of Requesting Entity: University of Wisconsin—Oshkosh

Address of Requesting Entity: 800 Algoma Blvd., Oshkosh, WI 54901

Description of Request: \$95,000 will be used for the University of Wisconsin Oshkosh's Center for the Advancement of Sustainable Processes and Environmental Research (CASPER) Northeast Wisconsin Environ-

mental Footprint Project. This project will establish a benchmark for sustainable business activity in Wisconsin, and this information will be used to partner with area businesses to foster corporate environmental sustainability and economic development. Specifically the federal funds will be used for: research, staff training and travel, resource acquisition and office expenses. The federal government supports many programs to promote energy conservation and renewable energy. This program will aid economic development by empowering local businesses to lessen their environmental footprints.

Account: Division F—Labor, Health and Human Services, Education, and Related Agencies—Fund for the Improvement of Post Secondary Education (FIPSE)

Legal Name of Requesting Entity: Wisconsin Association of Independent Colleges and Universities (WAICU)

Address of Requesting Entity: 122 West Washington Avenue, Suite 700, Madison, WI 53703

Description of Request: WAICU launched the WAICU Collaboration Project in 2002. It is a comprehensive initiative to perform all administrative support (back office) functions of Wisconsin's 20 private colleges and universities on a collaborative basis. By working closely with other participating institutions to reduce paperwork and consolidate back office functions, the colleges and universities will be able to concentrate on their primary mission of teaching and learning. Also, saving money will free additional funds for students in financial need and for improvements in academic programming. The objectives include: saving money (controlling college costs); improving the quality of services to students, faculty, and staff; and serving as a national model for controlling college costs. In sum, this is a project about access, affordability, and accountability for higher education. This project will serve as a model for other states, specifically private colleges, for reducing costs. The appropriation of \$285,000 will provide continued implementation of the WAICU Collaboration Project which will be used for personnel and technology costs. WAICU member colleges and universities and private foundation grants provide additional funding for this project.

Account: Division I—Transportation, Housing and Urban Development, and Related Agencies—Transportation and Community and System Preservation

Legal Name of Requesting Entity: Village of North Fond du Lac, Wisconsin

Address of Requesting Entity: 16 Garfield St., North Fond du Lac, WI 54937

Description of Request: The appropriation of \$570,000 will be provided to begin the construction of an overpass across the Wisconsin Central Railyards located in the Village of North Fond du Lac, Wisconsin. The rail/classification yard is the largest of its kind in the State of Wisconsin and connects the rail operations of the Canadian National Railroad in Canada to the Gulf of Mexico. The overpass would not only allow for the safe and efficient passage of rail traffic through the community, but would allow for the delivery of essential services to the residents of the community. The overpass would consist of a 532' bridge span across the yard and access ramps to the connecting roads on both sides of the bridge structure. The proposed bridge structure would be supported by columns placed between the

six sets of tracks that now cross Lakeshore Drive. The two sets of warning gates could be eliminated as all access to the crossings would be removed. The potential for a train/vehicle collision would be totally eliminated. The cost of the project will be split 80% Federal, 10% Village of North Fond du Lac, and 10% Wisconsin Central. This project has been requested along with Senator HERB KOHL (WI).

Account: Division I—Transportation, Housing and Urban Development, and Related Agencies—Economic Development Initiatives

Legal Name of Requesting Entity: Military Veterans Museum Foundation, Inc.

Address of Requesting Entity: 501 City Center, Oshkosh, WI 54901

Description of Request: The \$142,500 appropriation will go toward constructing a 45,000 square foot state of the art educational facility onto the existing "Fields of Honor" Military Veterans Museum in Oshkosh, Wisconsin. It would be located on a 10 acre tract a half mile south of the Experimental Aircraft Association grounds (Wittman Regional Airport) overlooking Highway 41. It will contain displays of artifacts and memorabilia ranging from the Revolutionary War to the present; a multi-faceted Educational Center including a library, art gallery, 80 seat theater, an audio/visual center; administrative offices; and banquet rooms. It will also provide a unique gathering place for veterans and school groups, and become a showcase attraction for the area economy. A 5% match is required by the Military Veterans Museum Foundation, Inc. in order to receive the allocated money.

Account: Division I—Transportation, Housing and Urban Development, and Related Agencies—FTA/Buses and Bus Facilities

Legal Name of Requesting Entity: Wisconsin Department of Transportation

Address of Requesting Entity: 4802 Sheboygan Ave., Madison, WI 53702

Description of Request: The \$269,800 appropriation will be used for renovation of the Oshkosh, Wisconsin, Transit System's administrative/maintenance facility, shop equipment, maintenance vehicles, rehabilitation of its bus terminal, and yard equipment and maintenance.

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IN RECOGNITION OF RISON HIGH SCHOOL

**HON. MIKE ROSS**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. ROSS. Madam Speaker, I rise today to recognize Rison High School in Rison, Arkansas, for having been selected as one of the top high schools in America by U.S. News and World Report.

U.S. News and World Report honored Rison High School with its Silver Medal, one of only four schools in Arkansas to receive such recognition. In order to qualify for this honor, a high school must have a challenging college-ready curriculum, performed well on standardized tests, and provide support and programs that best serve students from all backgrounds, according to the report.

I am personally proud of Rison High School for working to achieve excellence in the classroom and helping to ensure their students have the means they need to succeed in this

21st century global marketplace. A stellar education requires not only good educators and administrators, but also support from the surrounding community. The Rison community, with its top-notch educators, active parents and involved local leadership, deserve much-needed praise for their unified efforts in providing Rison High School students with a world-class education, and I am pleased that U.S. News and World Report took notice.

Once again, I would like to congratulate Rison High School on this significant accomplishment and hope they will continue to strive for excellence in the years to come.

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COACH LARRY HOLLEY

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. GRAVES. Madam Speaker, it is with great pride and pleasure that I rise today to recognize the outstanding leadership of Coach Larry Holley on the occasion of his induction into the Missouri Sports Hall of Fame on February 7, 2009.

Larry Holley has been the head men's basketball coach at William Jewell College since the 1979–80 school year. He is truly among America's elite coaches, having won more than 750 games during his career and having received 14 Coach of the Year Awards. Coach Holley is ranked #3 among all NAIA coaches and #8 among active four-year college coaches. We are truly lucky to have him as a coach in Northwest Missouri.

True to his dedication, Coach Holley is a 1967 William Jewell graduate. He lettered in three different sports, was President of his fraternity, Lambda Chi Alpha, and was always a leader in his academics, school activities and his entire community in general.

Madam Speaker, I ask my colleagues to join with me in commending Coach Larry Holley for his dedicated service to William Jewell College in Liberty, Missouri. Larry's commitment to his team, the school and our community provide a strong example of the kind of leader we should all work to be. I know Larry's colleagues, family and friends join with me in thanking him for his commitment to others and wishing him congratulations on his induction to the Missouri Sports Hall of Fame and best wishes on many more years of happiness and success.

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CONF. REPORT ON H.R. 1

SPEECH OF

**HON. TED POE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 13, 2009*

Mr. POE of Texas. Mr. Speaker, the Stimulus bill we're voting on today is supposed to stimulate business and create jobs. However, one provision of the bill will do just the opposite. Title II of the Conference Report on H.R. 1, under the Office of Justice Programs, State and Local Law Enforcement Assistance, provides \$2 billion in Byrne Justice Assistance Grants (JAG). This funding is frequently used by local government agencies to fund pretrial

release for criminal defendants. The problem is that it's at taxpayer expense.

When a defendant is given a pre-trial release bond or personal recognizance bond, he is released on his own recognizance. For example, a bond may be set at \$10,000, and the defendant is released on his promise to return based on his "word" alone. If the defendant does not return, the sheriff has to go find him. The taxpayers are usually out \$10,000 because judgments are seldom obtained from defendants for failure to appear.

On the other hand, when a surety bond is used, the court enters into a contractual agreement with a bonding company. The defendant also makes an agreement with the bonding company, and pays the company 10%. Then the defendant is released with the understanding that the bonding company will pay the court \$10,000 if the defendant does not show up. Plus the bonding company is obligated to go and look for the defendant if the defendant does not appear in court. This form of free enterprise takes taxpayers off the financial hook.

Mr. Speaker, by allowing taxpayer money to go to pretrial release, the free enterprise system is greatly hindered. Instead of providing jobs, jobs are taken away from the private sector—namely the bonding and insurance community.

As a former judge, I found that defendants released on pretrial bonds seldom reappeared in court. With surety bonds, however, they were much more likely to show up because they had a vested financial interest in appearing. Plus, the bondsman looks for defendants who fail to appear.

During my 22 years as a criminal court judge, I saw how if left alone, the free enterprise system guarantees the best result. By allowing private enterprise to take part in the process, people are held accountable, and taxpayers are protected.

Mr. Speaker, this so-called "Stimulus" bill will not stimulate the economy with jobs. It will only further stifle the free enterprise system, take jobs, and will leave taxpayers with the bill. This is just one of many examples of flaws in this bill.

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THE PRESIDENT'S STATE OF THE UNION ADDRESS

**HON. MARSHA BLACKBURN**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mrs. BLACKBURN. Madam Speaker, tonight the President plans to address the American people in his first State of the Union. I can only hope that the President won't say what we're expecting: that the key to solvency is to lose a war and raise taxes. Congress just passed the Democrat's trillion dollar plus stimulus plan, with hundreds of billions of dollars in spending for special interest groups. Later this week we will consider the 2009 Appropriations Omnibus, which will include an 8% increase over last year's spending.

We will hear some good ideas that embrace the fiscally responsible bi-partisan change the president was elected on. I hope the Democrat leadership doesn't turn it into taxing and spending as usual. Madam Speaker, we all know that the way to a balanced budget is

through across-the-board spending cuts. The way to stimulate an economy is through tax breaks, not increases. I urge the President to start there.

#### SEATBELTS FOR INCREASED BUS SAFETY

**HON. TED POE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. POE of Texas. Madam Speaker, most of us are aware of the bus accidents that have been occurring around the country. Two years ago there was a fatal bus accident involving the Westbrook High School girls' soccer team in Beaumont, Texas. Just this year, there was an accident in Sherman, Texas, which involved several Vietnamese community members. Similar incidents occurred in Liberty, Missouri, Arlington, Virginia, New York City, and New Orleans, to name a few.

These tragic bus accidents demonstrate that school bus safety reform is an urgent issue. While school buses are among the safest mode of transportation, these re-occurring accidents are unacceptable. School buses need to be safer.

The widespread bus crashes have sparked a comeback in the idea of seatbelts in buses. Seatbelts raise the issue of whether they would increase bus safety.

According to the Texas Department of Transportation, Texas safety belt use has topped 90%, this being the third year in a row. The majority of people in Texas are wearing their seatbelts in cars and trucks. But few to no passengers are wearing their seatbelts in school buses! Currently, there is no federal mandate on seatbelts in buses.

Every state, except New Hampshire, requires by law that car and truck drivers and passengers wear seatbelts. This is because seatbelts work—they increase a passenger's chance of survival in a crash. In short, seatbelts save lives.

If laws require passengers of cars and trucks to wear seatbelts, why are there no requirements for buses to even include seatbelts? In many states there are variations of "Click it or Ticket" policies that threaten motorists who don't wear seatbelts, yet no such laws apply to the buses that carry our children and community members on a daily basis.

Certainly, buses are made very different from cars and trucks. For one, buses can carry many more passengers than any car. Some of these differences might lead one to believe that there should not be a mandate on seatbelts in buses. These differences have not stopped bus drivers from being required to wear seatbelts. So why not for school bus passengers as well?

Some claim that seatbelts may not be properly worn by passengers or cause injury. If anything, it shows that seatbelts should be made better. However, to completely disregard seatbelts as a safety precaution is absurd.

The answer appears to be that of common sense. While seatbelts are in no way a quick fix and there are many questions surrounding seatbelts in buses, they should be looked into as one of the very many necessary measures taken to ensure school bus safety.

#### EARMARK DECLARATION

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. WOLF. Madam Speaker, pursuant to the Republican guidelines on earmarks, I submit the following statement for the record regarding H.R. 1105, the Fiscal Year 2009 Omnibus Appropriations Act.

Requesting Member: The Hon. FRANK R. WOLF.

Bill Number: H.R. 1105.

Provision: State and Local Law Enforcement Assistance, Byrne Justice Assistance Grant.

Legal Name of Requesting Entity: Northern Virginia Regional Gang Task Force.

Address of Requesting Entity: One Park Center Court, Manassas Park, VA 20111.

Description of Request: In response to increasing gang activity in northern Virginia, a multi jurisdictional law enforcement task force was established in 2003 to more effectively respond to gang activity. As a result of the task force's efforts, criminal gang activity has declined by more than 50 percent. In order to sustain and maintain these impressive results, the task force requested \$2.5 million in funding, which is included in H.R. 1105.

Bill Number: H.R. 1105.

Provision: State and Local Law Enforcement Assistance, Byrne Justice Assistance Grant.

Legal Name of Requesting Entity: Northwest Virginia Regional Gang Task Force.

Address of Requesting Entity: P.O. Box 49, Berryville, VA 22611.

Description of Request: In response to increasing gang activity in the Shenandoah Valley, this task force was established to coordinate and share information with their counterparts at the Northern Virginia Regional Gang Task Force. According to the Federal Bureau of Investigation, the entire northern Virginia region is a hotbed of gang activity. In order to better fight gang activity in this area, the task force requested \$750,000 in funding, which is included in H.R. 1105.

Bill Number: H.R. 1105.

Provision: Capital Investment Grants.

Legal Name of Requesting Entity: Dulles Corridor Metrorail Project.

Address of Requesting Entity: 1 Aviation Circle, Washington, D.C. 20001.

Description of Request: H.R. 1105 provides \$29.1 million to be used for extending the Metrorail system through Tysons Corner to Washington Dulles International Airport. Northern Virginia continues to be one of the country's fastest growing areas, but with that has come the distinction of being the second worst traffic congested region in America. Congressional funding to bring a much needed mass transit system linking the West Falls Church Metro station to Washington Dulles International Airport was first approved in FY 1999.

#### PERSONAL EXPLANATION

**HON. JOHN A. YARMUTH**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. YARMUTH. Mr. Speaker, I was unable to cast the recorded votes for rollcall Nos. 72,

73, and 74. Had I been present, I would have voted "yea" on H.R. 601: Motion to Suspend the Rules and Pass; H.R. 44: Motion to Suspend the Rules and Pass; and H.R. 911: Motion to Suspend the Rules and Pass.

RECOGNIZING ALCALDESSA ELIZABETH KEMP OF SONOMA, CALIFORNIA

**HON. MIKE THOMPSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. THOMPSON of California. Madam Speaker, I rise today, along with my colleague, LYNN WOOLSEY, to recognize Elizabeth Kemp, who has been named the City of Sonoma's 2009 Alcaldessa, or Honorary Mayor.

The title, "Alcalde" or "Alcaldessa" when referring to a woman, is the Spanish word for "Mayor." During the Spanish colonial period in California, the Alcalde was the primary civil authority. In modern times in the City of Sonoma, it is an honorary title and the contemporary Alcalde or Alcaldessa presides over ceremonial events for the city.

Alcaldes and Alcaldessas are nominated by the community and are representative of individuals with a long record of volunteer work. Ms. Kemp is no exception to this rule.

Ms. Kemp attributes her community activism to her early years in London during WW II. That experience led her to be aware of the needs of others and to an understanding that anyone's circumstances can change in a matter of minutes. She emigrated from England when she was 21 and has lived in Sonoma since 1969.

In 2000, Ms. Kemp recognized that many migrant workers had no place to live and were sleeping under bridges. She helped to organize one temporary camp, then joined with Vineyard Workers Services to create two more camps that are open during harvest. She currently serves as President of the Board of Directors of Vineyard Workers Services.

Ms. Kemp initiated the Brown Bagger program in 2004. The program prepares and distributes more than 180 nutritious lunches each week to the homeless and others who are unable to purchase food. This past summer, Ms. Kemp organized a group of volunteers to provide bag lunches to students who normally receive free lunches at school when school is in session and to their younger siblings. As a member of the Board of Directors of Sonoma Overnight Support, Ms. Kemp has also been involved in the development of the first permanent homeless shelter in Sonoma.

And, lest we think her interests are only parochial, Ms. Kemp is an active member of Friends of Turkana, a local group that raises funds for two medical missions in East Africa.

Madam Speaker, Elizabeth Kemp is a beloved and vitally important member of the community and it is appropriate that we acknowledge her today as Sonoma's Alcaldessa for 2009.

THROUGH UNITY, STRENGTH—  
TRAGEDY AT TEXAS A&M**HON. TED POE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. POE of Texas. Madam Speaker, the Texas A&M Aggies are known to boast many mottos, but a saying less famous than "Gig 'em" or "Hullabaloo" is one they lean on during times of hardship: "Through Unity, Strength." Last month, the student body was struck with another tragedy and two of Texas' warriors were taken from their families, friends and fellow students. The student body has banded together to get through this tragedy and in that unity they, once again, are finding their strength. I would like to take this opportunity to honor the two men who dedicated their lives to serving this country and whose time was cut short by a tragic accident.

On January 12th, during routine helicopter training on Texas A&M's campus, two soldiers were killed in the accidental crash. Lieutenant Zachary Cook was a recent A&M graduate and had just been commissioned as a United States Army officer. His temporary assignment was with Texas A&M's ROTC program which was holding the training demonstration for some ROTC cadets. Zachary, 22, was a former member of the Corps of Cadets Company D-1 and had just received his degree in December. There has already been an outpouring of support for this young man from A&M's student body and there will assuredly be hundreds of voices answering "Here" during roll call at the university's memorial service known as "Muster" in April.

Sergeant Charles Mitts, 42, of Spring, TX also died in the helicopter crash. Sergeant Mitts had served his country dutifully his entire adult life. After graduating from high school in Killeen, TX Charles served in both the Gulf War and Operation Iraqi Freedom. During his deployment to Iraq he served in General Petraeus' personal helicopter unit and he was currently enlisted in the Texas Army National Guard. Sergeant Mitts devoted his life to serving this country and is one of the many warriors that Texas is proud to call its own.

Madam Speaker, we honor these soldiers and their oath to serve us and protect all that we hold dear. Across the entire state Texans are honoring Sergeant Mitts, Lt. Cook and their families. As P.H. Duval Jr. put it so eloquently in his famous poem "The Last Corps Trip"—

It was Judgment Day in Aggie land  
And tenseness filled the air;  
All knew there was a trip at hand,  
But not a soul knew where . . .  
. . . And the band poured forth the anthem,  
In notes both bright and clear  
And ten thousand Aggie voices  
Sang the song they hold so dear.  
And when the band had finished,  
St. Peter wiped his eyes  
And said, "It's not so hard to see  
They're meant for Paradise."  
And the colonel of the Cadet Corps said  
As he stiffly took his stand,  
"It's just another Corps Trip, boys,  
We'll march in behind the band.

And that's just the way it is.

## EARMARK DECLARATION

**HON. LAMAR SMITH**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. SMITH of Texas. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding earmarks I received as part of the FY 2009 Omnibus.

Requesting Member: Congressman LAMAR SMITH.

Bill Number: FY 2009 Omnibus.

Account: Small Business Administration, Salaries and Expenses Account.

Legal Name of Requesting Entity: Alamo Community Colleges.

Address of Requesting Entity: 201 W. Sheridan, San Antonio, TX 78204-1429.

Description of Request: I have secured \$100,000 for the Alamo Region Energy Futures Park Center of Excellence with Alamo Community Colleges. The funding will help establish the Futures Park which will house advanced energy credit and non-credit instructions for students, education, and business and industry. The center will combine education and training with practical hands-on applied research. It is my understanding that approximately 30% of instructional costs will be reimbursed by the Texas Higher Education Coordinating Board and that scholarships will be made available through the ACCD Foundation and Alamo Workforce Board. The ACCD Foundation will also be raising funds to share in the costs of this program. I certify that neither I nor my spouse has any financial interest in this project.

Bill Number: FY 2009 Omnibus.

Account: Airport Improvement Projects.

Legal Name of Requesting Entity: City of San Antonio.

Address of Requesting Entity: P.O. Box 839966, San Antonio, Texas 78283.

Description of Request: I have secured \$1,187,500 for the City of San Antonio's Department of Aviation. Funding would be used for Airport Improvements including: Install shoulder areas to adjoining movement area pavements; Airfield Pavement Improvements and Airfield Electrical System Upgrade. The San Antonio International Airport receives Airport Improvement Program funds allocated to major capital improvement projects such as the current runway and taxiway extension work under design. \$650,000 in airport self-generated funds will be allocated for matching. I certify that neither I nor my spouse has any financial interest in this project.

Bill Number: FY 2009 Omnibus.

Account: DOJ; COPS Law Enforcement Technology Account.

Legal Name of Requesting Entity: City of Austin.

Address of Requesting Entity: 301 West 2nd Street, Austin, Texas 78701.

Description of Request: I have secured \$350,000 for the Austin Police Department. The funding would be used to purchase surveillance cameras and deploy them in high crime areas in Austin. The project will provide the Austin Police Department with the capability to monitor violent crime hotspots from a central location. The City of Austin will provide the required match. I certify that neither I nor

my spouse has any financial interest in this project.

Bill Number: FY 2009 Omnibus.

Account: STAG Water and Wastewater Infrastructure Project.

Legal Name of Requesting Entity: City of Austin, TX.

Address of Requesting Entity: 301 W. 2nd Street, 2nd Floor, Austin, Texas 78701.

Description of Request: I have secured \$300,000 for the Sanitary Sewer Overflow Prevention in Austin, TX. The funding would be used to construct a non-structural sanitary sewer overflow prevention project. It will prevent sanitary sewer overflows that threaten public health, property, surface waters and the ecologically fragile Edwards Aquifer. The project will help the City of Austin meet federal clean water mandates and it will help protect a regional aquifer that is vital to public and environmental health. It is my understanding that the City of Austin will be matching 45% of the cost of the project through the city sewer rates. I certify that neither I nor my spouse has any financial interest in this project.

Bill Number: FY 2009 Omnibus.

Account: U.S. Department of Energy; Energy Efficiency and Renewable Energy account.

Legal Name of Requesting Entity: Bexar County, Texas.

Address of Requesting Entity: 100 Dolorosa, San Antonio, Texas 78205.

Description of Request: I have secured \$475,750 for Bexar County. Funding would be used for materials and labor for the installation of photovoltaic panels at the new Bexar County Parking Garage for the purpose of re-charging plug-in hybrid vehicles. The project will promote the use of renewable energy while minimizing the impact of vehicle emissions. It is my understanding that Bexar County will be contributing \$326,000 towards this project. I certify that neither I nor my spouse has any financial interest in this project.

Bill Number: FY 2009 Omnibus.

Account: U.S. Army Corps of Engineers; Operations & Maintenance Civil Works Projects.

Legal Name of Requesting Entity: U.S. Army Corps of Engineers.

Address of Requesting Entity: P.O. Box 17300, Fort Worth, TX 76102.

Description of Request: I have secured \$3,422,000 for the U.S. Army Corps of Engineers at Canyon Lake, Texas. Funding for this project would be used for operations and maintenance in Canyon Lake, Texas and to repair conduit liner, service and emergency flood gates. I certify that neither I nor my spouse has any financial interest in this project.

Bill Number: FY 2009 Omnibus.

Account: National Park Service—Historic Preservation Fund—Save America's Treasures.

Legal Name of Requesting Entity: City of New Braunfels.

Address of Requesting Entity: 150 North Seguin, New Braunfels, Texas 78130.

Description of Request: I have secured \$150,000 for the Comal County Courthouse Restoration. Funding for this project will preserve and rehabilitate the historic Comal County Courthouse. The restorative work includes improving fire safety and accessibility to persons with disabilities by replacing outdated and hazardous building systems and restoring and reconstructing architectural elements that have been removed or concealed

in past remodeling efforts. This project has wide community support and it is my understanding that the County has already provided \$750,000 in funding for preliminary planning and specifications. The County and the City will continue their collaborative efforts to identify and secure funding sources to ensure the preservation and restoration of this structure. The work will lead to improved accessibility and enhancement of the facility. I certify that neither I nor my spouse has any financial interest in this project.

Bill Number: FY 2009 Omnibus.

Account: U.S. Army Corps of Engineers; Investigations Civil Works Studies.

Legal Name of Requesting Entity: U.S. Army Corps of Engineers.

Address of Requesting Entity: P.O. Box 17300, Fort Worth, Texas 76102.

Description of Request: I have secured \$382,000 for the U.S. Army Corps of Engineers for funding regarding the Guadalupe and San Antonio River Basins. Funding would be used to complete the draft interim feasibility report for the Cibolo Creek IFS, complete the plan formulation phase of the Leon Creek IFS, and initiate the plan formulation phase of the Alamo Heights IFS. The partners in the projects have committed to match the federal funding at the required levels. I certify that neither I nor my spouse has any financial interest in this project.

Bill Number: FY 2009 Omnibus.

Account: U.S. Army Corps of Engineers; Investigations Civil Works Studies.

Legal Name of Requesting Entity: U.S. Army Corps of Engineers.

Address of Requesting Entity: P.O. Box 17300, Fort Worth, Texas 76102.

Description of Request: I have secured \$406,000 for the U.S. Army Corps of Engineers for funding regarding the Lower Colorado River Basin. Funding would be used to complete the Williamson Creek study and continue the other Interim Feasibility Studies within the basin. It is my understanding that this project is a 50/50 match with the Lower Colorado River Authority. I certify that neither I nor my spouse has any financial interest in this project.

Bill Number: FY 2009 Omnibus.

Account: Housing and Urban Development Department Economic Development Initiative Program.

Legal Name of Requesting Entity: City of New Braunfels.

Address of Requesting Entity: 424 South Castell Avenue, New Braunfels, TX 78130.

Description of Request: I have secured \$142,500 for the City of New Braunfels Downtown Infrastructure Improvements. The City of New Braunfels is a Texas Main Street city and has a comprehensive Downtown Master Plan for its Central Business District. A key component is the relocation of overhead utilities to underground locations, which will facilitate other portions of the redevelopment project, including streetscaping and drainage. The City has already contributed \$111,000 to the project and has received a \$14,000 Certified Local Government Grant from the Texas Historical Commission for the preliminary planning. I certify that neither I nor my spouse has any financial interest in this project.

Bill Number: FY 2009 Omnibus.

Account: U.S. Army Corps of Engineers; Investigations.

Legal Name of Requesting Entity: U.S. Army Corps of Engineers.

Address of Requesting Entity: P.O. Box 17300, Fort Worth, Texas 76102.

Description of Request: I have secured \$1,264,000 for the U.S. Army Corps of Engineers for funding regarding the Lower Colorado River Basin. Funding for this project would be used to initiate buyouts of the Timber Creek area and Onion Creek Forest/Yarrabee Bend areas, and complete the DDR and P&S for Wharton, TX. It is my understanding that as a result of a local bond referendum in 2006, the City of Austin has a 35% match for the project in hand. I certify that neither I nor my spouse has any financial interest in this project.

Bill Number: FY 2009 Omnibus.

Account: Buses and Bus Facilities.

Legal Name of Requesting Entity: Capital Metropolitan Transportation Authority.

Address of Requesting Entity: 2910 East 5th Street, Austin, TX 78702.

Description of Request: I have secured \$2,612,500 for the Capitol Metro's Paratransit Services Vehicles. Pursuant to, and in accordance with, the Americans with Disabilities Act, Capital Metro provides door-to-door van and sedan paratransit service throughout Central Texas for persons with disabilities and senior citizens. Capital Metro will be replacing many of the vans and sedans that serve this program, as they are retired during the coming fiscal year. Central Texas' disabled population relies heavily on Capital Metro's paratransit services to provide transportation to jobs, classes and medical appointments. As many disabled veterans are returning to Central Texas following their tours of duty, our paratransit services will be required to accommodate their needs and requirements. The replacement of retired vehicles, and the expansion of the paratransit fleet, will allow Capital Metro to continue this important program. Local sales tax will provide matching funds. I certify that neither I nor my spouse has any financial interest in this project.

Bill Number: FY 2009 Omnibus.

Account: Health Resources and Services Administration (HRSA)—Health Facilities and Services.

Legal Name of Requesting Entity: Community Health Development, Inc.

Address of Requesting Entity: 201 South Evans, Uvalde, TX 78801.

Description of Request: I have secured \$143,000 for the Community Health Center Infrastructure Capacity Project for Real County. The funding would be used for new equipment/furnishings to strengthen capacity to continue serving Real County residents with quality health care. Successful completion of the project will enable CHDI to maintain a high level of quality care, improved staff efficiencies and, increase the number of patients served. There are no other funding sources for this project. I certify that neither I nor my spouse has any financial interest in this project.

Bill Number: FY 2009 Omnibus.

Account: DOJ; OJP Juvenile Justice Account.

Legal Name of Requesting Entity: San Antonio Fighting Back.

Address of Requesting Entity: 2803 E. Commerce St, San Antonio, TX 78203.

Description of Request: I have secured \$450,000 for San Antonio Fighting Back. The funding would be used for equipment and services to combat juvenile delinquency and victimization of children and improve the juve-

nile justice mission in San Antonio. Activities to be funded will be capacity building training and strategies and technical assistance that will assist faith-based and community-based organizations in organizational development, fund development, program development, financial management, communications and public relations, grant writing skills, personnel and human resources training, program evaluation, and community networking. I certify that neither I nor my spouse has any financial interest in this project.

Bill Number: FY 2009.

Account: U.S. Army Corps of Engineers; Construction Civil Works Projects.

Legal Name of Requesting Entity: U.S. Army Corps of Engineers.

Address of Requesting Entity: P.O. Box 17300, Fort Worth, Texas 76102.

Description of Request: I have secured \$10,000,000 for the San Antonio Channel Improvement Project. Funding would be used to award and initiate a fully funded construction contract for Phase IIa; complete the design of Phase III; initiate 95% design of Phase IV of Mission Reach; and continue the Woodlawn Study. It is my understanding that several entities in the community are prepared to provide \$49.7 million of local funding. I certify that neither I nor my spouse has any financial interest in this project.

Bill Number: FY 2009 Omnibus.

Account: STAG Water and Wastewater Infrastructure Project.

Legal Name of Requesting Entity: San Antonio Water System.

Address of Requesting Entity: 2800 U.S. Hwy 281 North, San Antonio, TX 78212.

Description of Request: I have secured \$500,000 for the San Antonio Water System and Wastewater Infrastructure Improvements. The funding would be used to construct the renewal of the wastewater collection system in various areas of San Antonio, TX. The water and wastewater infrastructure of San Antonio is in continuous need of improvement. The significance of this project is to maintain safe, sanitary water and sewer systems that will not only promote and protect public health but also contribute to SAWS' robust recycled water system, which in turn leads to reductions in freshwater pumping. SAWS will provide local matching funds in the amount of 45%. I certify that neither I nor my spouse has any financial interest in this project.

Bill Number: FY 2009 Omnibus.

Account: DOJ; OJP Juvenile Justice Account.

Legal Name of Requesting Entity: City of New Braunfels.

Address of Requesting Entity: 424 South Castell, New Braunfels, TX 78130.

Description of Request: I have secured \$50,000 for the City of New Braunfels. The funding would be used for equipment and services to establish a Teen Court in New Braunfels. The program provides first-time juvenile misdemeanor offenders an alternative to the criminal justice system while ensuring they assume responsibility for their action. It provides a cost effective and successful means of handling minor juvenile offenders. The City of New Braunfels is prepared to provide a 20% share in the cost of the program. It is my understanding that by the second year of the program the Teen Court will be maintained fully by City funds and program fees. I certify that neither I nor my spouse has any financial interest in this project.

Bill Number: FY 2009 Omnibus.  
Account: Higher Education (includes FIPSE).

Legal Name of Requesting Entity: Trinity University.

Address of Requesting Entity: One Trinity Place, #48, San Antonio, TX 78212.

Description of Request: I have secured \$285,000 for Trinity University. The funding would be used for creating an Educators' Technology Teaching Laboratory. This facility will incorporate advanced networking, utilizing laptop PCs and easily reconfigurable furnishings enabling rapid reconfiguration targeting teachers in kindergarten through 12th grade public schools in the South Texas Region. The project is intended to demonstrate the effectiveness of this approach and to be a model of how to prepare teachers to work with technology in the classroom. The remaining funds for the project will be supplemented by Trinity University Resources. I certify that neither I nor my spouse has any financial interest in this project.

Bill Number: FY 2009 Omnibus.

Account: Health Resources and Services Administration (HRSA)—Health Facilities and Services.

Legal Name of Requesting Entity: University of the Incarnate Word.

Address of Requesting Entity: 4301 Broadway, San Antonio, TX 78209.

Description of Request: I have secured \$285,000 for the East Side Community Clinic. The funding would be used to build and establish a new health care facility that will provide vital medical services, such as pharmaceutical, nursing, and nutrition counseling, currently unavailable or inaccessible to many in the area. The East Side Community Clinic will be supported by the University of the Incarnate Word and the CHRISTUS Santa Rosa Hospital. It is my understanding that besides the requested appropriations amount, the San Antonio community, local and state foundations, and corporations will be cultivated for gifts and grants to fund this clinic. I certify that neither I nor my spouse has any financial interest in this project.

Bill Number: FY 2009 Omnibus.

Account: ARS Building and Facilities.

Legal Name of Requesting Entity: Kerr Economic Development Foundation.

Address of Requesting Entity: 1700 Sidney Baker, Suite 100, Kerrville, Texas 78028.

Description of Request: I have secured \$1,957,000 for the Knipling-Bushland Laboratory in Kerr County, TX. The funding will be used to complete design and engineering for a modern laboratory for critical research to create technology and information to support the needs of APHIS/VS Fever Tick Eradication Program, the U.S. cattle industry, public health to discover new methods to control ticks biting flies of veterinary importance and ticks of medical importance. The City of Kerrville's Economic Improvement Corporation has agreed to fund carrying costs up to \$525,000 for the land purchased by the Kerr Economic Development Foundation for \$1.2 million which will be used as a location for the facility. I certify that neither I nor my spouse has any financial interest in this project.

Bill Number: FY 2009 Omnibus.

Account: U.S. Department of Transportation/FHWA/Federal-Aid Highways, Federal Lands.

Legal Name of Requesting Entity: Military Transformation Task Force (MTTF) of San Antonio.

Address of Requesting Entity: 100 South Flores Street, San Antonio, TX 78283.

Description of Request: I have secured \$950,000 for the City of San Antonio's Fort Sam Houston Access: Rittiman/Harry Wurzbach Corridor Improvements. To prepare for BRAC expansion, the San Antonio-Bexar County Metropolitan Planning Organization (MPO) coordinated a study to identify improvement alternatives to transportation systems immediately surrounding Fort Sam Houston. Funding will be used to extend, widen, and restripe Harry Wurzbach Road and Rittiman Road. State/local funds will be used as necessary to complete the system of improvements identified in the MPO Traffic Study. Recently, the City of San Antonio passed a \$550 million bond program, and there are funds dedicated to many of the transportation projects around Ft. Sam Houston. I certify that neither I nor my spouse has any financial interest in this project.

#### STATEMENT IN MEMORIAL OF OFFICER JOHN PAWLOWSKI

#### HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 2009

Ms. SCHWARTZ. Madam Speaker, on February 13, 2009, Officer John Pawlowski, a five-year veteran of the Philadelphia Police Department, was shot and killed while responding to a report of a disturbance.

Officer Pawlowski, who was only 25, left behind a wife, Kim, with whom he was eagerly anticipating the birth of their first child in just a few months. He worked in the 35th Police District, and was known by his friends and colleagues as "a good cop."

Philadelphia Mayor Michael Nutter said Pawlowski was a "hero" and that his loss was "felt by all Philadelphians."

The Philadelphia Inquirer said Pawlowski "served this city with merit."

Philadelphia Police Commissioner Charles Ramsey said Pawlowski's death was "absolutely devastating to all of us."

Officer Pawlowski came from a police family. His brother, Robert, is a Corporal who works in the police radio room and his father is a retired lieutenant with the Special Victims Unit. He was a family man who considered the Police Department part of his family.

Now Officer Pawlowski joins Officer Gary Skreski, Officer Chuck Cassidy, Sergeant Stephen Liczbinski, Officer Isabel Nazario, Sergeant Patrick McDonald, and Sergeant Tim Simpson as Philadelphia Police that have been killed in the line of duty since 2006.

The sacrifices that all of these brave individuals have made to keep Philadelphia safe from criminals cannot be repaid. These guardians must be remembered and honored. They are examples for all Philadelphians and all Americans about the virtues of honor, integrity, and service.

I ask that the House of Representatives extend its condolences to Kim Pawlowski, her family, and the Philadelphia Police Department for another devastating loss.

We will never forget you, Officer John Pawlowski. Rest in peace.

HONORING THE CHELSEA LUMBER COMPANY FOR THE 2008 LARGE BUSINESS LEADERSHIP AWARD

#### HON. MARK H. SCHAUER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 2009

Mr. SCHAUER. Madam Speaker, I am proud to honor today the Chelsea Lumber Company as they receive the 2008 Large Business Leadership Award by the Chelsea Area Chamber of Commerce. Chelsea Lumber Company is one of Chelsea's oldest businesses having celebrated their 100th anniversary in May of 2008. A recent acquisition assisted with positioning Chelsea Lumber Company as southeast Michigan's largest home center with the largest inventory of any lumberyard in the region. On a local level, Chelsea Lumber Company contributes immensely to the economic impact of the City of Chelsea. Chelsea Lumber Company has been a longtime member of the Chelsea Area Chamber of Commerce and their community involvement includes providing employment for many area youth and donating their materials to many local groups for projects and events. Many of their staff contributes their time serving on numerous community committees and donating their time at many Chelsea area sporting events. The owners have all remained or come back to Chelsea after college to raise their families, proving their belief in this community's values. It is with deep appreciation for their many contributions that I congratulate and commend the Chelsea Lumber Company for their faithful commitment to service and quality and wish them the best in all their future endeavors.

#### EARMARK DECLARATION

#### HON. MARK E. SOUDER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 2009

Mr. SOUDER. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 1105, the Omnibus Appropriations Act, 2009. Bill: H.R. 1105—Omnibus Appropriations Act, 2009.

Project Name: The Renaissance Pointe YMCA.

Entity: YMCA of Greater Fort Wayne.  
Address: 347 W. Berry, Suite 500, Fort Wayne, IN 46802.

Amount: \$142,000.

Justification for use of Federal taxpayer dollars: This project would provide a landmark facility in a depressed area to help children and families through education, arts, and recreation programs. Similar revitalization efforts have been successful in the state of Indiana, and this project can be used as a model for revitalization in depressed areas across the United States. Federal appropriations are needed for the following reasons: (1) the high cost of preparing a Brownfield site for construction, which would not be applicable under normal circumstances; (2) those in the community directly served by this YMCA are prevented from making large contributions to this project due to socioeconomic circumstances.

Finance Plan: All of the funds would be used for construction on the Brownfield site.

Bill: H.R. 1105—Omnibus Appropriations Act, 2009.

Project Name: Fort Wayne International Runway 5–23 Shoulder Reconstruction Project.

Entity: Fort Wayne Allen County Airport Authority.

Address: Lt. Paul Baer Terminal, Suite 209 Fort Wayne, IN 46809–3194.

Amount: \$817,000.

Justification for use of federal taxpayer dollars: As a result of the Annual Airport Certification/Safety Inspection conducted on September 5–6, 2006, the following comment/recommendation was provided by Birkely M. Rhodes, Airport Certification/Safety Inspector (AC/SI): “The Runway 5–23 shoulders have deteriorated well beyond maintenance levels. Plan and program a repaving project.”

This proposed reconstruction project would allow the airport to be in compliance with the above AC/SI recommendation. This project will provide for the reconstruction of approximately 5,150 lineal feet of existing shoulders, adjacent to Runway 5–23, with new 25’ paved asphalt shoulders. The project scope will include the removal of the existing shoulders, grading/drainage improvements, new runway edge lights, and paving of the new shoulders.

Finance Plan: Specific to this request, about \$4M has been spent on this project over the last 3 years, in the first two phases. The local source of funding is Airport Revenues. The requested funding would be allocated to the Construction and Services During Construction (inspection) contracts, as well as reimbursement for Design contract to the Authority. All costs identified and incurred are AIP-eligible.

Bill: H.R. 1105—Omnibus Appropriations Act, 2009.

Project Name: Career and Technical Education Program.

Entity: Grace College and Seminary.

Address: 200 Seminary Lane, Suite 333, Winona Lake, 46590.

Amount: \$95,000.

Justification for use of Federal taxpayer dollars: Funds will provide a more non-traditional education opportunity for adult learners through special programs that can be accessed electronically as well as on site during evenings and weekends. This program will help better educate the workforce of northern Indiana, and provide access to educational opportunities to minorities and other underserved segments of the population. Northern Indiana is one of the hardest hit areas in the country during this economic downturn.

Finance Plan:

*Budget*

Equipment .....	\$30,000
Course prep .....	60,000
Administration .....	250,000
Learning House fees .....	70,000
Training .....	50,000
Faculty .....	150,000
Project sustainability .....	500,000
Marketing .....	140,000

Bill: H.R. 1105—Omnibus Appropriations Act, 2009.

Project Name: Literacy and Graduation Rate Improvement for Goshen’s English as a Second Language (ESL) Students.

Entity: Goshen Community Schools.

Address: 721 E. Purl St., Goshen, IN 46526.

Amount: \$285,000.

Justification for use of Federal taxpayer dollars: These funds will allow Goshen Community schools to purchase and implement a technology system that will help our schools’ ESL students overcome their language barriers to learning and improve their literacy skills so they can successfully graduate from school on time with their English speaking peers. Goshen Community Schools is a public school corporation in northern Indiana with a high percentage (currently 37 percent) of ESL students.

Finance Plan:

<i>Program Description</i>	<i>Budget Amount</i>
Staff Development (SIOP) Training .....	\$20,000
Substitutes for Teachers being Trained .....	4,000
Staff Trainer integration of computer software .....	78,000
Computer Hardware and ESL Software .....	165,000
Curriculum Resources .....	4,000
Literacy Materials for middle and high school .....	14,000
	<hr/>
	285,000

Bill: H.R. 1105—Omnibus Appropriations Act, 2009.

Project Name: Middlebury Economic Development.

Entity: Town of Middlebury/ Redevelopment Commission.

Address: 418 N. Main Street, P.O. Box 812, Middlebury, IN 46540.

Amount: \$95,000.

Justification for use of Federal taxpayer dollars: This money will help Middlebury develop a comprehensive city plan for economic development that takes into account infrastructure needs, land use planning, downtown redevelopment while balancing the needs of the large Amish population with that of the larger community.

Finance Plan: All of the funds will be used to construct a comprehensive city plan for economic development.

Bill: H.R. 1105—Omnibus Appropriations Act, 2009.

Project Name: Energy Efficient Electronics Cooling Project.

Entity: Parker Hannifin/Climate Systems Division.

Address: 10801 Rose Avenue, New Haven, Indiana 46774.

Amount: \$951,000.

Justification for use of Federal taxpayer dollars: The national significance of this project relates to the expressed goal of Congress and the White House to reduce energy consumption in this country to further enhance our national energy security. Due to the national interest in energy security, one of the focuses of the Department of Energy’s Office of Energy Efficiency and Renewable Energy is the improvement of heating and cooling systems in buildings. The website quotes this important goal as follows: “By conducting R&D in cooperation with industry partners, DOE seeks to accelerate the development and introduction of highly efficient heating, ventilating, refrigeration, and air-conditioning systems, and water-heating technologies.” (<http://www.eere.energy.gov/buildings/tech/hvac/>)

The Energy Efficient Electronics Cooling Project will further this important federal goal by involving industry partners in research and development to accelerate the development

and introduction of highly efficient air-conditioning systems, especially for data centers. The project will also advance national security by reducing the vulnerability of Supervisory Control and Data Acquisition (SCADA) systems by reducing or eliminating the risk of mechanical failure of systems due to heat-induced data management failure. Because of these national benefits, the federal government rightly deserves a facilitating role in this technology’s realization.

Finance Plan: All of the funds will be used in research and development to accelerate the development and introduction of highly efficient air-conditioning systems, especially for data centers

Bill: H.R. 1105—Omnibus Appropriations Act, 2009.

Project Name: Bass Modernization Initiative.

Entity: University of St. Francis.

Address: 2701 Spring Street, Fort Wayne, IN 46808.

Amount: \$100,000.  
Justification for use of Federal taxpayer dollars: Listed on the National Register of Historic Places, the 1903 Bass Mansion, the former home of local industrialist John Bass, is an architectural wonder with winding staircases, original wall coverings and painted murals, hand-carved fireplaces, and other amenities unique to the Victorian era. The University is seeking to restore the Bass Mansion to its rightful place as one of Fort Wayne’s great community resources.

Federal funds to support this project will enable the University to re-open the Bass Mansion to the community in a significant way, with historic collections on display and rooms available for community-based events.

Finance Plan: A recent survey by an architectural and engineering firm has identified a three-phase renovation and restoration plan at an estimated cost of \$6,000,000. Specific priorities include: general roof stabilization as well as replacement of flat roofs; foundation repair, a drainage system and sealing; mechanical/electrical replacement and updating; elevator installation; selected interior wall surface treatment; floor and stair repair; mortar joint pointing and repair, and door and window repair. St. Francis University has a fundraising effort underway, with more than \$2,500,000 already raised.

Bill: H.R. 1105—Omnibus Appropriations Act, 2009.

Project Name: Health Sciences Laboratory Construction and Equipment Initiative.

Entity: University of Saint Francis.

Address: 2701 Spring Street, Fort Wayne, IN 46808.

Amount: \$190,000.

Justification for use of Federal taxpayer dollars: The national shortage of nurses and other health care professionals is well documented. The University of Saint Francis has built a strong reputation as an educational leader in the health care industry. The university seeks to graduate high quality students with strong backgrounds in areas of great need to the medical profession, especially nursing. Through its undergraduate and graduate teaching, laboratory experiences and community outreach efforts, the University contributes significantly to the advancement of scientific learning and skilled health care professionals working in both the Fort Wayne region and nationwide.

Federal resources to support this initiative will further enhance the value of education in

the biological and health sciences and the quality of the professional healthcare workforce in the Fort Wayne Region. The University of Saint Francis plans to construct a health sciences laboratory and purchase needed equipment in order to provide the next generation of health care professionals with the most modern and technologically up-to-date education possible.

Finance Plan: Funds will be used for the construction of a health sciences laboratory and to purchase needed equipment.

COMMENDING BILL BALLAGH FOR HIS 2008 SMALL BUSINESS LEADERSHIP AWARD

**HON. MARK H. SCHAUER**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. SCHAUER. Madam Speaker, I am proud to honor today Bill Ballagh of State Farm Insurance as he receives the 2008 Small Business Leadership Award by the Chelsea Area Chamber of Commerce. On a local level, Bill is a strong supporter of many events in the Chelsea community. He is an active board member of the Chelsea Senior Center and has been a valuable source of ideas and advice for the board in both the financial aspect and the improved image for the Center and its programs. Many local agencies and fundraisers have appreciated Bill's support by allowing them to promote their projects in his windows and the side of his downtown office building.

Bill goes above and beyond when it comes to serving his customers. As he writes and reviews policies for customers, he may direct them elsewhere if he feels they may be better served—without financial gain for himself and also points out ways that policies written by others can be improved upon to better meet their needs, again, without financial gain for himself. Bill has served Chelsea since 1996 in his business and consistently goes the extra mile making his clients feel they're more than just part of a business relationship.

It is with deep appreciation for his many contributions that I congratulate and commend Bill Ballagh of State Farm Insurance for his faithful commitment to service and quality and wish him and his family the best in all their future endeavors.

EARMARK DECLARATION

**HON. CHARLES W. BOUSTANY, JR.**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. BOUSTANY. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding earmarks I received as part of H.R. 1105, Omnibus Appropriations Act of 2009. These earmarks are contained in Division C—Energy and Water Development:

SOUTHWEST COASTAL LOUISIANA HURRICANE PROTECTION, LA

Member requesting funds: CHARLES BOUSTANY Jr., MD (LA-07)

Entity receiving funds: US Army Corps of Engineers, New Orleans District, 7400 Leake Avenue, New Orleans, LA 70118

Account: Army Corps of Engineers, General Investigations

Purpose: Provide an earmark of \$956,000 to advance the authorized Southwest Coastal Louisiana Hurricane Protection, LA project. The Corps is directed to expedite the study under the Water Resources Development Act of 2007. The funds will be used to continue the feasibility phase including the Chenier Plain Sustainability Initiative. Activities include plan formulation, hydrology and hydraulic analyses, economic inventory, environmental analyses, and stakeholder and public involvement.

CALCASIEU LOCK, LA

Member requesting funds: CHARLES BOUSTANY Jr., MD (LA-07)

Entity receiving funds: US Army Corps of Engineers, New Orleans District, 7400 Leake Avenue, New Orleans, LA 70118

Account: Army Corps of Engineers, General Investigations

Purpose: Provide an earmark of \$574,000 to advance the authorized feasibility study for the Calcasieu Lock, LA project. The study is needed to replace the lock. Funds will be used to address economic and environmental concerns. A rate review will be undertaken to determine the economic impacts of the without-project conditions, and will be accompanied by an analysis to identify impacts from flooding of agricultural areas. The Calcasieu Lock is a bottleneck on the Gulf Intracoastal Waterway system in Louisiana, causing delays in transportation and interstate commerce.

CALCASIEU RIVER AND PASS NAVIGATION, LA

Member requesting funds: CHARLES BOUSTANY Jr., MD (LA-07)

Entity receiving funds: US Army Corps of Engineers, New Orleans District, 7400 Leake Avenue, New Orleans, LA 70118

Account: Army Corps of Engineers, General Investigations

Purpose: Provide an earmark of \$155,000 for the authorized Calcasieu River and Pass Navigation, LA project. The study is needed to investigate ways to improve navigation on the Calcasieu Ship Channel by adding passing lanes and anchorage areas. Currently only one-way traffic is allowed because of the narrow channel and hazardous cargo. The funds will be used to complete the feasibility study and initiate the PED phase. Additional beneficiaries include the Lake Charles Harbor and Terminal District and the users of the Calcasieu River Ship Channel.

CALCASIEU RIVER BASIN

Member requesting funds: CHARLES BOUSTANY Jr., MD (LA-07)

Entity receiving funds: US Army Corps of Engineers, New Orleans District, 7400 Leake Avenue, New Orleans, LA 70118

Account: Army Corps of Engineers, General Investigations

Purpose: Provide an earmark of \$75,000 to advance the authorized feasibility study and initiate the PED. The study is needed to investigate methods of providing flood control and environmental enhancement measures in the Calcasieu River Basin. Additional funds could be used to initiate the plans and specs for the first construction contract. Other beneficiaries include the residents of Calcasieu Parish.

LCA—ECOSYSTEMS RESTORATION, LA

Member requesting funds: CHARLES BOUSTANY Jr., MD (LA-07)

Entity receiving funds: US Army Corps of Engineers, New Orleans District, 7400 Leake Avenue, New Orleans, LA 70118

Account: Army Corps of Engineers, General Investigations

Purpose: Provide an earmark of \$8,604,000 to advance the studies for the authorized Louisiana Coastal Area (LCA) Ecosystems Restoration, LA project. The funding is needed to continue eleven feasibility studies and initiate six PED studies. Activities include completing and submitting to the Secretary a final report on the Beneficial Use of Dredged Material Program Feasibility Program, completing identification of initial BUDMat projects; beginning plans and specs on Barataria Basin Barrier Shoreline Restoration project; and continuing studies initiated in FY08. Additional beneficiaries include residents of Louisiana.

CALCASIEU RIVER AND PASS, LA

Member requesting funds: CHARLES BOUSTANY Jr., MD (LA-07)

Entity receiving funds: US Army Corps of Engineers, New Orleans District, 7400 Leake Avenue, New Orleans, LA 70118

Account: Army Corps of Engineers, Operations and Maintenance

Purpose: Provide an earmark of \$13,894,000 for the authorized Calcasieu River and Pass, LA project. Funds are needed to keep international commerce moving without delays and light loadings. Funds will be used to operate and maintain the Calcasieu River Salt Water Barrier and the channel, dredge bar channel, dredge mile 5 to 17 and Devil's Elbow, foreshore dike construction for protection of disposal areas and to reduce shoaling, and maintenance of dredged material disposal facilities. Additional beneficiaries include the Lake Charles Harbor and Terminal District and the users of the Calcasieu River Ship Channel.

FRESHWATER BAYOU, LA

Member requesting funds: CHARLES BOUSTANY Jr., MD (LA-07)

Entity receiving funds: US Army Corps of Engineers, New Orleans District, 7400 Leake Avenue, New Orleans, LA 70118

Account: Army Corps of Engineers, Operations and Maintenance

Purpose: Provide an earmark of \$1,716,000 for the authorized Freshwater Bayou, LA project. The lock is crucial to support offshore oil industry to provide the necessary fuel, supplies and food to offshore oil platforms in the Gulf of Mexico, and also to support commercial fishing. The funds will be used for operations and maintenance and to dredge two critical reaches to support the energy infrastructure along the Freshwater Bayou, LA.

MERMENTAU RIVER, LA

Member requesting funds: CHARLES BOUSTANY Jr., MD (LA-07)

Entity receiving funds: US Army Corps of Engineers, New Orleans District, 7400 Leake Avenue, New Orleans, LA 70118

Account: Army Corps of Engineers, Operations and Maintenance

Purpose: Provide an earmark of \$1,828,000 for the authorized Mermentau River, LA project. Funding is required to dredge and continue ongoing repairs along the Mermentau River, including operations of Catfish Point and Schooner Bayou Control Structures, maintenance of the control structures, including water control data systems, real estate, and dredge Mermentau Bar Channel, and boat-house replacement at CPCS.

BAYOU TECHE & VERMILION RIVER, LA

Member requesting funds: CHARLES BOUSTANY Jr., MD (LA-07)

Entity receiving funds: US Army Corps of Engineers, New Orleans District, 7400 Leake Avenue, New Orleans, LA 70118

Account: Army Corps of Engineers, Operations and Maintenance

Purpose: Provide an earmark of \$13,000 for the authorized Bayou Teche & Vermilion River, LA project. The funding will be used for ongoing repairs, debris removal, and operations and maintenance for the Bayou Teche & Vermilion River.

BAYOU TECHE, LA

Member requesting funds: CHARLES BOUSTANY Jr., MD (LA-07)

Entity receiving funds: US Army Corps of Engineers, New Orleans District, 7400 Leake Avenue, New Orleans, LA 70118

Account: Army Corps of Engineers, Operations and Maintenance

Purpose: Provide an earmark of \$194,000 for the authorized Bayou Teche, LA project. Funding will be used for dredging and ongoing operations and maintenance for the Bayou Teche. Activities include surveys of the channel, environmental studies, real estate management, and operate and maintain Keystone Lock.

CALCASIEU RIVER, MILE 5.0-14.0, CAMERON PARISH

Member requesting funds: CHARLES BOUSTANY Jr., MD (LA-07)

Entity receiving funds: US Army Corps of Engineers, New Orleans District, 7400 Leake Avenue, New Orleans, LA 70118

Account: Army Corps of Engineers, CAP 204

Purpose: To provide an earmark prioritizing the Calcasieu River, Mile 5.0-14.0, Cameron Parish project within the Corps CAP 204 program. Funds will be used to complete the design and implementation phase for the beneficial use of dredged materials project along the Calcasieu River. The project provides for the placement of shoal material from the Calcasieu River, Mile 5 to Mile 14, into the Cameron Creole Prairie National Wildlife Refuge. Additional beneficiaries include the Lake Charles Harbor and Terminal District and the users of the Calcasieu River Ship Channel.

TOWN OF CARENCRO, LAFAYETTE PARISH, LA

Member requesting funds: CHARLES BOUSTANY Jr., MD (LA-07)

Entity receiving funds: US Army Corps of Engineers, New Orleans District, 7400 Leake Avenue, New Orleans, LA 70118

Account: Army Corps of Engineers, CAP 205

Purpose: To provide an earmark prioritizing the Town of Carencro, Lafayette Parish, LA project within the Corps CAP 205 program. The funds will be used to continue the design and implementation phase for the small flood control project in the Town of Carencro. Additional beneficiaries include the residents of the Town of Carencro.

BAYOU QUEUE DE TORTUE, VERMILION PARISH, LA

Member requesting funds: CHARLES BOUSTANY Jr., MD (LA-07)

Entity receiving funds: US Army Corps of Engineers, New Orleans District, 7400 Leake Avenue, New Orleans, LA 70118

Account: Army Corps of Engineers, CAP 205

Purpose: To provide an earmark prioritizing the Bayou Queue de Tortue, Vermilion Parish,

LA project within the Corps CAP 205 program. The funds will be used to complete the feasibility for a small flood control project in Bayou Queue de Tortue. Additional beneficiaries include the residents of the Town of Gueydan.

HONORING HALL-OF-FAME UNIVERSITY OF ARIZONA MEN'S BASKETBALL COACH LUTE OLSON

### HON. GABRIELLE GIFFORDS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Ms. GIFFORDS. Madam Speaker, I am honored to recognize Robert Luther "Lute" Olson, the former men's basketball head coach at the University of Arizona.

In his long and illustrious collegiate career Lute Olson amassed a record of 780-280 in 34 seasons, including a 589-187 mark in his time at Arizona. He holds the all-time record for Pac-10 victories with 327. He is also one of only 17 coaches with over 1,000 victories, spanning a career as a high school, junior college, and college head coach.

On March 29, 1983, Coach Olson became the head coach at Arizona after successful runs at Long Beach State and the University of Iowa, the latter of which he guided to the 1979 Big Ten title and the 1980 Final Four. Few could have predicted the meteoric rise of the program he turned around from a 4-24 record in 1983. Just 2 years later, he guided the team to the NCAA tournament and began the Nation's longest active streak for NCAA tournament appearances, currently at 24 consecutive seasons.

Lute Olson transformed the University of Arizona and the Tucson desert into a college basketball oasis. In his 24 seasons he won one national championship, reached 4 Final Fours, and won 11 Pac-10 titles, solidifying the program as a perennial title contender and bringing national prestige to both city and school.

At the top of his game, Coach Olson took the Wildcats on an improbable run to the 1997 national title, including victories over three No. 1 seeds, a feat not achieved before or since. For these accomplishments, he was inducted into the Naismith Memorial Basketball Hall of Fame on Sept. 27, 2002.

Lute Olson's successes were not limited to the hardwood. As a high school teacher in Mahanomen, Minnesota, he taught six classes, was head coach of the basketball and football team, and assistant coach on the baseball team. He went to become a junior high counselor in Colorado, high school coach in Southern California and entered the collegiate ranks in 1972.

Along the way, as a teacher and coach, Lute Olson has encouraged students to live healthy, work hard and pursue their dreams. He has inspired and encouraged students across the country, in Tucson, and at the University of Arizona. Many young people have benefited from his guidance and are proud to call him their mentor.

I am pleased to acknowledge and thank Coach Olson for his great leadership and outstanding contributions to our community.

RECOGNIZING ALCALDESSA ELIZABETH KEMP

### HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Ms. WOOLSEY. Madam Speaker, I rise today, along with my colleague, MIKE THOMPSON, to recognize Elizabeth Kemp, who has been named the City of Sonoma's 2009 Alcaldessa, or Honorary Mayor.

The title, "Alcalde" or "Alcaldessa" when referring to a woman, is the Spanish word for "Mayor." During the Spanish colonial period in California, the Alcalde was the primary civil authority. In modern times in the City of Sonoma, it is an honorary title and the contemporary Alcalde or Alcaldessa presides over ceremonial events for the city.

Alcaldales and Alcaldessas are nominated by the community and are representative of individuals with a long record of volunteer work. Ms. Kemp is no exception to this rule.

Ms. Kemp attributes her community activism to her early years in London during WW II. That experience led her to be aware of the needs of others and to an understanding that anyone's circumstances can change in a matter of minutes. She emigrated from England when she was 21 and has lived in Sonoma since 1969.

In 2000, Ms. Kemp recognized that many migrant workers had no place to live and were sleeping under bridges. She helped to organize one temporary camp, then joined with Vineyard Workers Services to create two more camps that are open during harvest. She currently serves as President of the Board of Directors of Vineyard Workers Services.

Ms. Kemp initiated the Brown Bagger program in 2004. The program prepares and distributes more than 180 nutritious lunches each week to the homeless and others who are unable to purchase food. This past summer, Ms. Kemp organized a group of volunteers to provide bag lunches to students who normally receive free lunches at school when school is in session and to their younger siblings. As a member of the Board of Directors of Sonoma Overnight Support, Ms. Kemp has also been involved in the development of the first permanent homeless shelter in Sonoma.

And, lest we think her interests are only parochial, Ms. Kemp is an active member of Friends of Turkana, a local group that raises funds for two medical missions in East Africa.

Madam Speaker, Elizabeth Kemp is a beloved and vitally important member of the community and it is appropriate that we acknowledge her today as Sonoma's Alcaldessa for 2009.

EARMARK DECLARATION

### HON. MICHAEL K. CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. CONAWAY. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding Member requested funding that was included as part of H.R. 1105, the Omnibus Appropriations Act of 2009.

In the Bureau of Reclamation, Water and Related Resources—Rural Water account, \$109,000 for improvements to an irrigation canal in Tom Green County, Texas was included on my behalf. The entity to receive funding for this project is the Tom Green County Water Control Improvement District No. 1, which operates and maintains the canal and can be reached at P.O. Box 488, Veribest, Texas, 76886. The canal is 16 miles long and runs northeast from the city of San Angelo, Texas. The funding will be used to complete repairs and upgrade the canals water control systems to help better distribute and conserve water, as recommended in a 2007 report by the Bureau of Reclamation.

In the Army Corps of Engineers, Investigations account, \$406,000 for a study in the Lower Colorado River Basin of Texas was included on my behalf. The entity to receive funding for this project is the Lower Colorado River Authority which can be reached at P.O. Box 220, Austin, Texas, 78767. The study area is bounded by the Guadalupe, Lavaca, and Colorado-Lavaca river basins on the west, and the Brazos and Brazos-Colorado basins on the east. This study is investigating water resource problems, needs, and opportunities, to determine whether improvements for flood risk management, ecosystem restoration and protection, water quality, water supply and allied purposes have a Federal interest. The funding will be used to complete the Williamson Creek study and continue other interim feasibility studies within the basin.

In the Army Corps of Engineers, Operations and Maintenance account, \$842,000 for the O. C. Fisher Dam and Lake, Texas was included on my behalf. The entity to receive funding for this project is Army Corps of Engineers Fort Worth District. The project is located in Tom Green County, on the North Concho River, near the City of San Angelo, Texas. The funding will be used to for operations and routine maintenance.

In the Army Corps of Engineers, Operations and Maintenance account, \$2,000,000 for Proctor Lake, Texas was included on my behalf. The entity to receive funding for this project is Army Corps of Engineers Fort Worth District. The project is located in Comanche County on the Leon River, about eight miles northeast of the city of Comanche, Texas. The funding will be used to for operations, routine maintenance, and to replace and repair piezometers.

In the Army Corps of Engineers, Operations and Maintenance account, \$1,373,000 for Hords Creek Lake, Texas was included on my behalf. The entity to receive funding for this project is Army Corps of Engineers Fort Worth District. The project is located in Coleman County about 13 miles west of the city of Coleman, Texas. The funding will be used to for operations, routine maintenance, and to upgrade hydraulic pumps and controls for flood gates.

In the Cooperative State Research, Education, and Extension Service (CSREES) account funding in the amount of \$206,000 for Animal Fiber Research. The entity to receive funding for this project is Texas A&M University. The project is located at 7887, U.S. Highway 87N, San Angelo, Texas, 76901. The funding will be used to increase profitability of the sheep and goat industries in the United States and Texas while providing U.S. consumers and the military with high-quality ani-

mal fibers and meat at internationally competitive prices. Emphasis will be placed on improving wool quality and increasing wool production and also on multi-state collaborations in which sheep and goats will be used to improve rangeland environments through prescribed grazing of invasive species.

In the Cooperative State Research, Education, and Extension Service (CSREES), Special Research Grants account funding in the amount of \$946,000 for the Center for Food Industry Excellence. The entity to receive funding for this project is Texas Tech University, located in Lubbock, Texas. The funding will be used to conduct systematic development and evaluation of production, processing, and preparation methods of food products (from farm to table) to achieve a safer and more nutritious food supply.

In the Cooperative State Research, Education, and Extension Service (CSREES) account, to provide partial funding in the amount of \$693,000 for Center for North American Studies. Funding for this project will go directly to Texas A&M University in College Station, Texas. This funding will assist in the continued development of the center. The focus is to further expand activities in education and training, research policy analysis, and cooperative study as related to trade issues.

In the Cooperative State Research, Education, and Extension Service (CSREES), Special Research Grants account, funding in the amount of \$1,730,000 for the International Cotton Center. The entity to receive funding for this project is Texas Tech University, located in Lubbock, Texas. The funding will be used to support several research projects investigating means of increasing the profitability and sustainability of cotton and other natural fiber production through the development of new uses for cotton fiber among others.

In the Cooperative State Research, Education, and Extension Service (CSREES) account, funding in the amount of \$3,220,000 for the Efficient Irrigation program (both research and extension arms). The entity to receive funding for this project is Texas A&M University. The funding will be used to provide resources for research, training, education, and technical assistance to agricultural and municipal water system operators, teaching them about irrigation system efficiency and about reducing biological and chemical hazards through alternative treatment of water and wastewater.

In the Agriculture Research Service (ARS) account, to provide partial funding in the amount of \$515,000 for the Great Plains Sorghum Improvement and Utilization Center. Funding for this project will go directly to Kansas State in Manhattan, Kansas. This funding will be used to continue to integrate the efforts among the three institutions to develop a series of multi-institutional and multidisciplinary teams that bring together new technologies and knowledge that focus on improvement of profitability in each stage of sorghum production, processing and marketing.

In the Department of Education, Higher Education account, to provide funding in the amount of \$285,000 for Midland College in Midland, TX for technology upgrades, including purchase of equipment. The funding would be used to for the purchase of new computers, specialized software and multi-media projector equipment as part of the ongoing technology upgrade program. The Advanced

Technology Center (ATC), operated by Midland College, offers a wide range of programs that are used by students from elementary schools, high schools and colleges seeking to learn computer and other technical skills, by workers upgrading their skills to retain their jobs or get new ones, by businesses who are training employees, and by individuals.

In the Department of Education, Higher Education account, to provide funding in the amount of \$95,000 for the Midland Independent School District, located at 615 W. Missouri Ave., Midland, TX for a teacher training initiative in conjunction with Texas Mathworks. Texas Mathworks is a center for mathematics education formed by Texas State University System to develop model programs and self-sustaining learning communities that engage Texas K–12 students in doing mathematics at a high level. Texas Mathworks proves to be an effective model for engaging and retaining students' interest in math and science, enabling teachers to effectively teach it at the highest levels.

In the Department of Education, Elementary & Secondary Education (includes FIE) account, to provide funding in the amount of \$143,000 for the Wallace Accelerated High School, located at 149 S. Hwy 208, Colorado City, TX, for a charter campus for at-risk students in grades 8–12, including purchase of equipment. The funding will be to support a charter campus for at-risk students in grades 8–12. The campus not only assists students with their educational needs but also in realizing the importance in being a productive citizen within the community and country.

In the Department of Justice, DJP-Byrne Discretionary Grants account, to provide funding in the amount of \$1,200,000 for the Texas State University Train-the-Trainer (ALERRT) program. The entity to receive funding for this project is the Advanced Law Enforcement Rapid Response Training (ALERRT) Program at Texas State University-San Marcos, located at 601 University Drive, San Marcos, Texas. Funding will be used to support the ALERRT program, which was established by Texas State University, to provide first responders with the tactics they will need to effectively respond to active shooter situations.

Project funding for the construction of on/off ramps of I–20 for Garfield and Cotton Flat Road in Midland, TX in the amount of \$380,000. The funding will be appropriated from the Interstate Maintenance Discretionary account to the Texas Department of Transportation, 125 East 11th St., Austin, TX 78701. The project is included in the I–20 Corridor Master plan and the Statewide Transportation Improvement Program.

Project funding in the amount of \$475,000 to widen the 45 mile section of SH–349 in Martin and Dawson County by two additional lanes as a portion of Trade Corridor 56 designated and funded (1.6 mil) by SAFETEA–LU as a high priority trade corridor. The funding will be appropriated from the Transportation, Community and System Preservation account to the Texas Department of Transportation, 125 East 11th St., Austin, TX 78701. This section of SH–349 is a part of the Ports to Plains Corridor, two National High Priority Corridors and the Texas Trunk System.

Project funding in the amount of \$190,000 for the Economic Development Initiative that will include streetscaping, environmental remediation, infrastructure improvements and demolition of dilapidated buildings of downtown

Midland, TX. The funding will be appropriated from the Economic Development Initiatives account to the City of Midland, City Hall, 300 N. Loraine, Midland, TX 79701.

Project funding in the amount of \$142,500 for an Economic Development Initiative that will include enhancing an economically depressed area along the North Concho River through downtown San Angelo. The funding will be appropriated from the Economic Development Initiatives account to the City of San Angelo, City Hall, 72 W. College Ave, San Angelo, TX 76903. The City has contributed over \$6 million for the project and continues to contribute through a ½ cent sales tax. The initiative includes improving accessibility multi-use pathways, connecting commercial and residential areas and improving river access, lighting, landscaping and other public spaces along the Concho River and downtown San Angelo.

Project funding in the amount of \$237,500 for construction of a multi-modal terminal that will house customer service centers, administrative offices and development space for the Concho Valley Transit District. The funding will be appropriated from the Buses and Bus Facilities account to The Texas Department of Transportation, 125 East 11th St., Austin, TX 78701. The Texas Department of Transportation has awarded a multi-year \$1.5 million grant to support future development and the project received \$250,000 in FY08. This project has been authorized by SAFETEA-LU.

Project funding in the amount of \$190,000 for preliminary engineering, and construction of a transit authority administration facility to manage 8,500 square miles of regional public transit system. The funding will be appropriated from the Buses and Bus Facilities account to The Texas Department of Transportation, 125 East 11th St., Austin, TX 78701.

#### EARMARK DECLARATION

### HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mrs. MILLER of Michigan. Madam Speaker, I submit the following:

Requesting Member: Congresswoman CANDICE S. MILLER.

Bill Number: H.R. 1105.

Account: COPS Law Enforcement Technology.

Legal Name of Requesting Entity: Huron County, Michigan Sherriffs Office.

Address of Requesting Entity: 120 S. Heisterman St. Bad Axe, MI 48413.

Description of Request: Funds would be used for law enforcement technologies.

Bill Number: H.R. 1105.

Account: COPS Law Enforcement Technology.

Legal Name of Requesting Entity: Sanilac County, Michigan Sherriffs Office.

Address of Requesting Entity: 65 N. Elk Street, Sandusky, MI 48471.

Description of Request: Funds would be used to replace their current computer system which lacks storage capabilities and is antiquated. The goal is to convert the current system to a Windows platform which would allow for more interoperable connectivity with agencies at the local, state and federal level.

Bill Number: H.R. 1105.

Account: COPS Law Enforcement Technology.

Legal Name of Requesting Entity: Lapeer County Sheriffs Office.

Address of Requesting Entity: 3231 John Conley Dr. Lapeer, MI 48446.

Description of Request: Funds would be used to add Mobile Data Terminals to eight patrol cars.

Bill Number: H.R. 1105.

Account: Small Business Administration—Business Loan Programs.

Legal Name of Requesting Entity: Macomb County.

Address of Requesting Entity: 1 S. Main St. 7th floor, Mt. Clemens, MI 48043.

Description of Request: The funds would be used to provide a variety of much needed programs and services including training such as business plan and marketing writing and assistance. Additionally it would serve businesses and entrepreneurs in Macomb County who currently does not have access to vital services.

Bill Number: H.R. 1105.

Account: Health Resources and Services Administration—Health Facilities and Services.

Legal Name of Requesting Entity: Thumb Rural Health Network.

Address of Requesting Entity: 210 S. First St. Harbor Beach, MI 48441.

Description of Request: Funds will be utilized to establish and enhance integrated communications systems for a small network of small, rural critical access hospitals. Funds will be used to purchase equipment, establish a system wide communications and triage network thus cutting down movement between these 5 hospitals located all over Michigan's thumb area.

Bill Number: H.R. 1105.

Account: Higher Education (FIPSE).

Legal Name of Requesting Entity: Saint Clair County Community College.

Address of Requesting Entity: 323 Erie St., Port Huron, MI 48061.

Description of Request: This funding would be used to develop a 2 year alternative energy degree.

Bill Number: H.R. 1105.

Account: Higher Education (FIPSE).

Legal Name of Requesting Entity: Macomb County Community College.

Address of Requesting Entity: 14500 E. Twelve Mile Road, Warren, MI 48088.

Description of Request: The funding would be used to develop a comprehensive 2 year alternative energy degree.

Bill Number: H.R. 1105.

Account: Investigations.

Legal Name of Requesting Entity: South-eastern Michigan Council of Governments.

Address of Requesting Entity: 535 Griswold St. Ste. 300 Detroit, MI 48226.

Description of Request: The funding would be used to establish a partnership of federal, State of Michigan and local agencies to guide the implementation of the Lake St. Clair Management Plan. Funds would also be used to develop a strategic implementation plan that will guide the Army Corps in its implementation of the Management plan. Both activities are a requirement of Section 3089 of the 2007 Water Resources Development Act.

Bill Number: H.R. 1105.

Account: O&M.

Legal Name of Requesting Entity: Army Corps of Engineers.

Address of Requesting Entity: 477 Michigan Ave. Detroit, MI 48226.

Description of Request: The funding would be used for dredging channels in Lake St. Clair.

Bill Number: H.R. 1105.

Account: O&M.

Legal Name of Requesting Entity: Army Corps of Engineers.

Address of Requesting Entity: 477 Michigan Ave. Detroit, MI 48226.

Description of Request: The funding would be used for dredging Caseville harbor.

Bill Number: H.R. 1105.

Account: O&M.

Legal Name of Requesting Entity: Army Corps of Engineers.

Address of Requesting Entity: 477 Michigan Ave. Detroit, MI 48226.

Description of Request: The funding would be used for dredging the Clinton River.

Bill Number: H.R. 1105

Account: O&M

Legal Name of Requesting Entity: Army Corps of Engineers

Address of Requesting Entity: 477 Michigan Ave. Detroit, MI 48226

Description of Request: The funding would be used for dredging Lexington Harbor

Bill Number: H.R. 1105

Account: O&M

Legal Name of Requesting Entity: Army Corps of Engineers

Address of Requesting Entity: 477 Michigan Ave. Detroit, MI 48226

Description of Request: The funding would be used for dredging Port Austin Harbor

Bill Number: H.R. 1105

Account: O&M

Legal Name of Requesting Entity: Army Corps of Engineers

Address of Requesting Entity: 477 Michigan Ave. Detroit, MI 48226

Description of Request: The funding would be used for dredging Port Sanilac Harbor

Bill Number: H.R. 1105

Account: O&M

Legal Name of Requesting Entity: Army Corps of Engineers

Address of Requesting Entity: 477 Michigan Ave. Detroit, MI 48226

Description of Request: The funding would be used for dredging the St. Clair River

Bill Number: H.R. 1105

Account: EERE-Building Technologies

Legal Name of Requesting Entity: St. Clair County Community College

Address of Requesting Entity: 323 Erie St. Port Huron, MI 48061

Description of Request: This funding would be used for infrastructure to match and accommodate a developing curriculum regarding alternative energies.

Bill Number: H.R. 1105

Account: TCSP Transportation and Community and System Preservation

Legal Name of Requesting Entity: County of Sanilac

Address of Requesting Entity: 60 W. Sanilac Rd. Sanilac County Courthouse, Room 214, Sandusky, MI 48471

Description of Request: The funding would be used for a bike path between Lexington and Port Sanilac

Bill Number: H.R. 1105

Account: AIP—Airport Improvement Program

Legal Name of Requesting Entity: City of Sandusky

Address of Requesting Entity: 26 W. Speaker St. Sandusky, MI 48471

Description of Request: This funding would be used for the extension of the runway and new taxiway.

Bill Number: H.R. 1105

Account: Buses and Bus Facilities

Legal Name of Requesting Entity: Sanilac Count Transportation Authority

Address of Requesting Entity: 25 S. Arthur St. Carsonville, MI 48419

Description of Request: This funding would be used for the replacement of buses.

Bill Number: H.R. 1105

Account: Buses and Bus Facilities

Legal Name of Requesting Entity: Greater Lapeer Transportation Authority

Address of Requesting Entity: 230 South Monroe St. Lapeer, MI 48446

Description of Request: This funding would be used for the replacement of buses.

#### EARMARK DECLARATION

### HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 2009

Mr. KINGSTON. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding H.R. 1105, the FY 2009 Omnibus Appropriations Act.

Requesting Member: Congressman JACK KINGSTON

Project Name: Southeastern Poultry Research Laboratory, Athens, GA

Bill number: H.R. 1105

Account: USDA, Agriculture Research Service, Buildings and Facilities

Legal Name of Requesting Entity: ARS's Southeastern Poultry Research Lab, Athens, GA

Address of Requesting Entity: 934 College Station Road, Athens, GA 30605

Description of Request: Funds will be used for planning and design of the Biocontainment Laboratory and Consolidated Poultry Research Facility in Athens, GA. The new lab will combine the research of other labs, modernize biocontainment facilities, and be the primary lab for federal research on Avian Influenza and all avian research/diseases.

Amount: \$2,427,000

Project Name: GA Soil & Water Conservation Commission Cooperative Agreement

Bill number: H.R. 1105

Account: USDA, Natural Resource Conservation Service, Conservation Operations

Legal Name of Requesting Entity: Georgia Soil and Water Conservation Commission

Address of Requesting Entity: 4310 Lexington Road, Athens, GA 30603

Project Description: Project is a cost/share grant program that helps farmers with construction or renovation of on-farm agriculture water storage facilities for irrigation and drought preparedness.

Amount: \$2,423,000

Project Name: University of Georgia's Blueberry Research

Bill number: H.R. 1105

Account: USDA, CSREES

Legal Name of Requesting Entity: University of Georgia's College of Agriculture and Environmental Sciences, Athens, GA

Address of Requesting Entity: 101 Conner Hall, Athens, GA 30602

Project Description: Development of new cultivars and management practices that increase production efficiency and improve quality of fruit delivered to consumers.

Amount: \$207,000

Project Name: University of Georgia's Phytophthora Research

Bill number: H.R. 1105

Account: USDA, CSREES

Legal Name of Requesting Entity: University of Georgia's College of Agriculture and Environmental Sciences, Athens, GA

Address of Requesting Entity: 101 Conner Hall, Athens, GA 30602

Project Description: Research on controlling or eliminating fruit/vegetable rot disease during production.

Amount: \$178,000

Project Name: University of Georgia's Water Use Efficiency and Water Quality Enhancements

Bill number: H.R. 1105

Account: USDA, CSREES

Requesting Entity: University of Georgia's College of Agriculture and Environmental Sciences, Athens, GA

Address of Requesting Entity: 101 Conner Hall, Athens, GA 30602

Project Description: Research on discovery and use of variable rate irrigation technologies. These technologies will save billions of gallons of irrigation water each year, while increasing agriculture productivity and improving water quality.

Amount: \$346,000

Project Name: University of Georgia's Cotton Insect Management

Bill number: H.R. 1105

Account: USDA, CSREES

Requesting Entity: University of Georgia's College of Agriculture and Environmental Sciences, Athens, GA

Address of Requesting Entity: 101 Conner Hall, Athens, GA 30602

Project Description: Continuing research on cotton insect management in the Southeast where pests are primary causes of cotton yield loss and quality damage.

Amount: \$346,000

Project Name: Savannah Harbor Expansion Project

Bill number: H.R. 1105

Account: Corps of Engineers—Construction  
Requesting Entity: Corps of Engineers, Savannah District

Address of Requesting Entity: 100 West Oglethorpe Avenue, P.O. Box 889, Savannah, Georgia 31402

Project Description: Savannah Harbor Expansion Project construction funding to develop plans and specifications and the Project Partnership Agreement required before construction can start to deepen the harbor channel from the current 42 foot channel to a depth of as much as 48 feet.

Amount: \$670,000

Project Name: The Atlantic Intracoastal Waterway, Georgia

Bill number: H.R. 1105

Account: Corps of Engineers—Operations and Maintenance

Requesting Entity: Corps of Engineers, Savannah District

Address of Requesting Entity: 100 West Oglethorpe Avenue, P.O. Box 889, Savannah, Georgia 31402

Project Description: Dredging trouble spots on the waterway and for general maintenance of the Georgia portion of the Atlantic Intracoastal Waterway.

Amount: \$966,000

Project Name: University of Georgia's Bio-refinery Demonstration Project

Bill number: H.R. 1105

Account: Department of Energy—Energy Efficiency and Renewable Energy, Biomass

Requesting Entity: The University of Georgia  
Address of Requesting Entity: Office of VP for Research, Boyd Research Building, UGA, Athens, GA

Project Description: Development of biomass processing, biochemical and thermochemical technologies, and train the future workforce so they can satisfy the needs of a growing new industry.

Amount: \$1,189,375

Project Name: Atlanta Environmental Infrastructure

Bill number: H.R. 1105

Account: Corps of Engineers—Construction  
Requesting Entity: Corps of Engineers, Mobile District

Address of Requesting Entity: P.O. Box 2288, Mobile, Alabama 36628

Project Description: Sewer system repairs.

Amount: \$1,818,000

Project Name: Glynn County Airport Commission

Bill number: H.R. 1105

Account: Federal Aviation Administration—Airport Improvement Program

Requesting Entity: Glynn County Airport Commission

Address of Requesting Entity: 295 Aviation Parkway, Suite 205, Brunswick, Georgia 31525

Project Description: For airfield drainage rehabilitation and general aviation taxiway expansion.

Amount: \$755,250

Project Name: Homerville Industrial Park

Bill number: H.R. 1105

Account: Housing and Urban Development—Economic Development Initiatives

Requesting Entity: City of Homerville, GA  
Address of Requesting Entity: 20 South College Street, Suite A, Homerville, GA 31634

Project Description: For design and construction that includes installation of a new sewer system that will serve the new industrial park.

Amount: \$285,000

Project Name: Wayne Memorial Hospital

Bill Number: H.R. 1005

Account: Department of Health & Human Services, Health Resources and Services Administration

Requesting Entity: Wayne Memorial Hospital  
Address of requesting entity: 865 South First Street, Jesup, GA 31545

Description of Request: For construction, renovation, and equipment costs.

Amount: \$761,000

Project Name: Armstrong Atlantic State University Cyber Security Research Foundation Inc.

Bill Number: H.R. 1105

Account: Department of Education, FIPSE  
Requesting Entity: Armstrong Atlantic State University

Address of Requesting Entity: 11935 Abercorn Street, Savannah, Georgia 31419

Description of Request: For curriculum development and the purchase of equipment.

Amount: \$428,000  
 Project Name: Southeast Georgia Health System  
 Bill Number: H.R. 1105  
 Account: Department of Health & Human Services, Health Resources and Services Administration  
 Requesting Entity: Southeast Georgia Health System  
 Address of Requesting Entity: 2415 Parkwood Drive, Brunswick, GA 31520  
 Description of Request: Purchase of medical equipment.  
 Amount: \$381,000

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 EARMARK DECLARATION

**HON. BILL SHUSTER**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. SHUSTER. Madam Speaker, consistent with the Republican Leadership's policy on earmarks, I submit the following:

Requesting Member: Congressman BILL SHUSTER (PA-9).

Bill Number: H.R. 1105—FY 2009 Omnibus Appropriations Act.

Division B—Commerce, Justice, Science, and Related Agencies.

Project Name: Operation Our Town.

Account: OJP—Byrne Discretionary Grants.  
 Legal Name of Requesting Entity: Operation Our Town.

Address of Requesting Entity: 5506 6th Avenue Rear, Altoona, PA 16602.

Description of Request/Justification of Federal Funding:

\$300,000 for Operation Our Town.

It is my understanding that funding for this project will be used to facilitate partnerships between community and business leaders to fight illegal drug use and crime through proven law enforcement, treatment, and prevention strategies. Operation Our Town focuses on coordinating resources to reduce the threats faced by drugs and related crimes as part of the ongoing national war on drugs and gangs.

It is also my understanding that approximately 33 percent of funding would be used for coordination with law enforcement, approximately 17 percent of funding would be used for prevention, approximately 17 percent of funding would be used for treatment, approximately 30 percent of funding would be used for blight eradication, and approximately 3 percent would be used for other expenses.

Project Name: Franklin County Emergency Services Alliance—Interoperable Communications Initiative.

Account: COPS Law Enforcement Technology.

Legal Name of Requesting Entity: Franklin County Emergency Services Alliance.

Address of Requesting Entity: 4 North Main Street, Chambersburg, PA 17201.

Description of Request/Justification of Federal Funding:

\$500,000 for Interoperable Communications Initiative.

It is my understanding that funding for this project will be used to purchase and upgrade equipment for first responders in Franklin County, Pennsylvania. Improved equipment will increase emergency, disaster assistance, and recovery efforts.

Increased interoperability will greatly improve the ability of Franklin County to assist in supporting critical response efforts for nearby major metropolitan areas and federal facilities including Baltimore, MD, Washington, DC, Harrisburg, PA, Letterkenny Army Depot (PA), Camp David (MD), and Fort Detrick (MD).

It is also my understanding that funding will be used for the acquisition of emergency services communications units, with approximately 40 percent of funding used to acquire portable units, approximately 40 percent of funding used to acquire base and mobile units, and approximately 20 percent of funding used to acquire pager units.

Project Name: Saint Francis University Center for Global Competitiveness.

Account: International Trade Administration.  
 Legal Name of Requesting Entity: St. Francis University.

Address of Requesting Entity: 117 Evergreen Drive, Loretto, PA 15940.

Description of Request/Justification of Federal Funding:

\$350,000 for Saint Francis University Center for Global Competitiveness.

It is my understanding that funding for this project will be used to create jobs and stimulate economic development by assisting local small and medium sized businesses.

Specifically, the Saint Francis University Center for Global Competitiveness provides specialized marketing assistance to small and medium sized global businesses in a ten county region helping them to become more competitive in a global economy including international trade and expansion into domestic markets.

It is also my understanding that approximately 50 percent of funding will be used for labor costs, approximately 40 percent of funding will be used for coordination with Saint Vincent College, and approximately 10 percent of funding will be used for equipment and other expenses.

Division C—Energy and Water Development.

Project Name: South Central Pennsylvania Environmental Improvement Program.

Account: Corps of Engineers, Construction.  
 Legal Name of Requesting Entity: US Army Corps of Engineers—Baltimore District.

Address of Requesting Entity: 10 South Howard Street, Baltimore, MD 21201.

Description of Request/Justification of Federal Funding:

\$4.5 million for South Central Environmental Infrastructure.

It is my understanding that funding for the South Central Pennsylvania Environmental Improvement Program will provide design and construction assistance for water-related environmental infrastructure and resource protection and development projects in South Central Pennsylvania. The program provides the funding necessary for local communities to install basic sewer and water systems and is a key aspect of building and enhancing infrastructure for many rural communities in Pennsylvania. The program was authorized in the Water Resources Development Act of 1992 (P.L. 102-580).

It is also my understanding that funding will be administered by the US Army Corps of Engineers as authorized to provide design and construction assistance for water-related environmental infrastructure and resource protection and development projects in South Central Pennsylvania.

Project Name: Juniata Hybrid Locomotive.

Account: Department of Energy, EERE.

Legal Name of Requesting Entity: Pennsylvania State University.

Address of Requesting Entity: 17 Old Main, University Park, PA 16802.

Description of Request/Justification of Federal Funding:

\$713,625 for Juniata Hybrid Locomotive.

It is my understanding that funding for this project will be used to assess and develop technological alternatives to diesel locomotives and to develop a more energy efficient and environmentally friendly locomotive for yard, local, and main line applications. Associated with this research effort is the development of energy management and control technologies required to maximize the energy efficiency of hybrid locomotives. Converting the existing locomotive fleet to new technologies would reduce both emissions and our dependence on foreign oil, reducing impacts on the environment and improving our national and energy security.

It is also my understanding that approximately 20 percent of funding would be used for labor costs, approximately 20 percent of funding would be used for engineering consultants, approximately 20 percent of funding would be used for charger components, and approximately 40 percent of funding would be used for locomotive components.

Division E—Interior, Environment, and Related Agencies.

Project Name: Flight 93 National Memorial.  
 Account: National Park Service, Construction.

Legal Name of Requesting Entity: National Park Service.

Address of Requesting Entity: 109 West Main Street, Suite 104, Somerset, PA 15501.

Description of Request/Justification of Federal Funding:

\$1.2 million for Flight 93 National Memorial.

It is my understanding that funding will be used for construction costs at the Flight 93 National Memorial in Somerset County, Pennsylvania. The Flight 93 National Memorial honors the men and women who gave their lives in the first counterattack of the Global War on Terror on September 11, 2001.

The Flight 93 National Memorial Act (P.L. 107-226) established the creation of the Flight 93 National Memorial "to commemorate the passengers and crew of United Flight 93 who, on September 11, 2001, courageously gave their lives thereby thwarting a planned attack on our Nation's Capital."

It is also my understanding that funding will be used by the National Park Service as authorized for construction and associated costs such as design development and construction management at the Flight 93 National Memorial.

Project Name: Historic Mishler Theatre.

Account: National Park Service, Save America's Treasures.

Legal Name of Requesting Entity: Blair County Arts Foundation.

Address of Requesting Entity: 1212 Twelfth Avenue, Altoona, PA 16601.

Description of Request/Justification of Federal Funding:

\$150,000 for the Historic Mishler Theatre.

It is my understanding that funding for this project will be used for renovations to the Mishler Theatre in Blair County, Pennsylvania. Known for its cultural and architectural significance and listed on the National Register of

Historical Places, renovations to the Mishler Theatre are vital to preserving and restoring this vibrant center for the arts.

It is also my understanding that funding will be used for the acquisition costs, labor, and construction related to improvements of the facility for performers and patrons.

Division F—Labor, Health and Human Services, Education, and Related Agencies.

Project Name: Altoona Regional Health System, Equipment.

Account: Department of Health and Human Services, Health and Human Services Administration (HRSA)—Health Facilities and Services.

Legal Name of Requesting Entity: Altoona Regional Health System.

Address of Requesting Entity: 620 Howard Avenue, Altoona, PA 16601.

Description of Request/Justification of Federal Funding:

\$238,000 for Altoona Regional Health System for facilities and equipment.

It is my understanding that funding for this project will be used to purchase digital mammography and radiology equipment in preparation for developing a breast imaging center. This project will ensure improved accessibility for residents in Blair County and surrounding areas to state of the art breast imaging to replace traditional film-based mammography.

It is also my understanding that funding will be used for the purchase of digital mammography screening equipment and radiology work station equipment. I also understand that the funding provided is only a piece of the total funding required for this project and anticipated allocations may change.

Project Name: Nason Hospital, Equipment.

Account: Department of Health and Human Services, Health and Human Services Administration (HRSA)—Health Facilities and Services.

Legal Name of Requesting Entity: Nason Hospital.

Address of Requesting Entity: 105 Nason Drive, Roaring Spring, PA 16673.

Description of Request/Justification of Federal Funding:

\$143,000 for Nason Hospital, Roaring Spring, PA for purchase of equipment.

It is my understanding that funding for this project will be used to purchase a high definition camera system for orthopedic arthroscopic procedures. This equipment will increase productivity within the operating room and produce more confident diagnoses, benefiting both patients and physicians.

It is my understanding that approximately 75 percent of funding will be used for equipment and installation and 25 percent of funding will be used for a service agreement. I also understand that the funding provided is only a piece of the total funding required for this project and anticipated allocations may change.

Project Name: Somerset Hospital, Equipment.

Account: Department of Health and Human Services, Health and Human Services Administration (HRSA)—Health Facilities and Services.

Legal Name of Requesting Entity: Somerset Hospital.

Address of Requesting Entity: 225 South Central Avenue, Somerset, PA 15501.

Description of Request/Justification of Federal Funding:

\$190,000 for Somerset Hospital, Somerset, PA for facilities and equipment.

It is my understanding that funding for this project will be used to purchase equipment to increase patient safety, enhance efficiency, and reduce operational costs. These technology upgrades will greatly benefit residents of the Somerset, Pennsylvania area.

It is also my understanding that approximately 15 percent of funding would be used for a pharmacy system/bar coding, approximately 60 percent of funding would be used for electronic medical records, and approximately 25 percent of funding would be used for physician order entry system. I also understand that the funding provided is only a piece of the total funding required for this project and anticipated allocations may change.

Division I—Transportation, Housing and Urban Development, and Related Agencies

Project Name: AMTRAN Transit System Improvement.

Account: Department of Transportation, Buses and Bus Facilities.

Legal Name of Requesting Entity: AMTRAN.

Address of Requesting Entity: 3301 Fifth Avenue, Altoona, PA 16602.

Description of Request/Justification of Federal Funding:

\$475,000 for Bus Facility, AMTRAN Transit System.

It is my understanding that funding for this project will be used by AMTRAN, the local transit system in Altoona, PA, for improvements to their system. Specifically, it is my understanding that these funds will be used for a new bus facility.

It is also my understanding that approximately 40 percent of funding will be used for real estate acquisition, approximately 10 percent of funding will be used for environmental mitigation, approximately 10 percent of funding will be used for demolition and site preparation, and approximately 40 percent will be used for building renovation. I also understand that the funding provided is only a piece of the total funding required for this project and anticipated allocations may change.

Project Name: Flight 93 National Memorial, Public Lands Transportation Needs.

Account: Federal Lands (Public Lands Highways).

Legal Name of Requesting Entity: National Park Service.

Address of Requesting Entity: 109 West Main Street, Suite 104, Somerset, PA 15501.

Description of Request/Justification of Federal Funding:

\$4.275 million for Flight 93 National Memorial, Public Lands Transportation Needs.

It is my understanding that funding for this project will be used by the National Park Service for road, parking, and utility improvements related to the Flight 93 National Memorial. The Flight 93 National Memorial honors the men and women who gave their lives in the first counterattack of the Global War on Terror on September 11, 2001.

The Flight 93 National Memorial Act (P.L. 107–226) established the creation of the Flight 93 National Memorial “to commemorate the passengers and crew of United Flight 93 who, on September 11, 2001, courageously gave their lives thereby thwarting a planned attack on our Nation’s Capital.”

It is also my understanding that funding will be used by the National Park Service for construction costs.

Project Name: Hollidaysburg Car Shop Redevelopment Project.

Account: Department of Housing and Urban Development—Economic Development Initiatives.

Legal Name of Requesting Entity: Altoona-Blair County Development Corporation.

Address of Requesting Entity: 3900 Industrial Park Drive, Altoona, PA 16602.

Description of Request/Justification of Federal Funding:

\$95,000 for transformation of the current facility into one that can be utilized for manufacturing, contributing to economic development and stimulating job creation.

It is my understanding that funding for this project will be used to support redevelopment efforts for the former Hollidaysburg Car Shop property based upon a recently completed redevelopment strategy and plan to promote job retention activities and economic development.

It is also my understanding that funding will be used for activities related to site preparation, building improvements, and environmental remediation. I also understand that the funding provided is only a piece of the total funding required for this project and anticipated allocations may change.

Project Name: Altoona Recreational Facility.

Account: Department of Housing and Urban Development—Economic Development Initiatives.

Legal Name of Requesting Entity: Central Blair Recreation and Park Commission.

Address of Requesting Entity: 2101 Fifth Avenue, Altoona, Pennsylvania 16602.

Description of Request/Justification of Federal Funding:

\$71,250 for development of a multi-faceted outdoor park for the local community.

It is my understanding that funding for this project will be used for the development of a multi-faceted outdoor park for the local community. The facility will offer a safe and positive environment for young people and provide safe alternatives to the temptations of drug use, gangs, and violence.

It is also my understanding that funding will be used for construction and related costs associated with skateboard ramps, playground equipment, trails, pavilions, and restroom facilities. I also understand that the funding provided is only a piece of the total funding required for this project and anticipated allocations may change.

Project Name: Indiana County Business and Industrial Park.

Account: Department of Housing and Urban Development—Economic Development Initiatives.

Legal Name of Requesting Entity: Indiana County Commissioners.

Address of Requesting Entity: 825 Philadelphia Street, Indiana, PA 15701.

Description of Request/Justification of Federal Funding:

\$190,000 for acquisition and development of a new pad ready business/industrial park consisting of approximately 150–200 acres.

It is my understanding that funding for this project will be used for the development of a new industrial park to help serve the growing economy of the region. The project will assist in the growth of an emerging technology and manufacturing market. I further understand that it is estimated the completion of the new industrial park will create 300 to 500 new jobs.

It is also my understanding that funding will be used for all development phases including

acquisition, master plan design, engineering, and construction costs. I also understand that the funding provided is only a piece of the total funding required for this project and anticipated allocations may change.

Project Name: Community Redevelopment and Restoration, Lower Fairview.

Account: Department of Housing and Urban Development—Economic Development Initiatives.

Legal Name of Requesting Entity: The Nehemiah Project.

Address of Requesting Entity: 800 Valley View Boulevard, Altoona, PA 16602.

Description of Request/Justification of Federal Funding:

\$71,250 for redevelopment of buildings in the downtown Lower Fairview area of Altoona, Pennsylvania.

It is my understanding that funding for this project will be used to aid in the redevelopment of buildings in the Lower Fairview area of Altoona, Pennsylvania.

Specifically, I understand the project is centered on the rehabilitation of an abandoned and condemned church building that used to serve as a safe haven for those in need. Once restored, the facility will be home to a variety of programs designed to meet the needs of area residents and provide tools to put them in a position to succeed in the future.

It is also my understanding that funding will be used for a variety of acquisition and construction needs. I also understand that the funding provided is only a piece of the total funding required for this project and anticipated allocations may change.

RECOGNIZING BETH LEES AS THE  
2010 SANTA ROSA COUNTY  
TEACHER OF THE YEAR

**HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. MILLER of Florida. Madam Speaker, on behalf of the United States Congress, it is an honor for me to rise today in recognition of Beth Lees, Santa Rosa County's 2010 Teacher of the Year.

From an early age, Ms. Lees has expressed a passion and talent for teaching. Inspired by the work of her mother, also a teacher, Ms. Lees would work on the blackboard and create curriculum in the imaginary games of "school" she played as a child. This early interest blossomed into an enduring devotion to the profession of teaching and to helping children realize their intellectual potential.

Ms. Lees began her teaching career at Troy University, where she earned a B.A. in elementary education and a master's of science in Education. After graduating, she began teaching third grade and spent the next 12 years teaching third, fourth, and fifth grade. Her education and early experiences have resonated in her current teaching style. Ms. Lees is known for her exciting curriculum and students and teachers often remark on her ability to make the material fun and dynamic. Her enthusiasm is contagious and the structure she provides her students, especially in the way of reading comprehension, is vital to their long-term academic success.

The title of Teacher of the Year is an honor and is evidence of Ms. Lees's exceptional ca-

pabilities as an educator. Beyond the title lies Ms. Lees's dedication and devotion, to not only her students, but to the entire community. Her teaching skills and affable personality have influenced many and pushed countless students to a higher level of academic achievement. Ms. Lees's outstanding accomplishments have distinguished her as one of the great teachers in northwest Florida, and the First District of Florida is honored to have her as one of their own.

Madam Speaker, on behalf of the U.S. Congress, I am proud to recognize Beth Lees on this outstanding achievement and for her exemplary service in the Santa Rosa School District.

RECOGNIZING THE CONTRIBUTIONS OF BENITA DURAN

**HON. HILDA L. SOLIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Ms. SOLIS of California. Madam Speaker, today I rise to recognize Benita Duran, a dedicated, hard working woman whom I am very fortunate to have had on my staff for more than eight years.

Benita joined my staff in November 2000 while I was serving as a member of the California State Senate. She stayed with me during my transition into service as a Member of Congress and has been my Deputy District Director since 2004.

During her time in my office, Benita demonstrated that she is a hard working individual committed to advancing the public interest. She demonstrated her passion for issues affecting underserved communities and the lives of working families daily in her work. True to her roots, the residents of El Sereno were first and foremost in her heart and mind.

Benita is strongly committed to our nation's servicemen and women, veterans and their families. She worked tirelessly to ensure that countless numbers of veterans received the medals and recognition they earned, and stood by the families of who lost their loved ones in service to our nation.

Benita was equally committed to helping all residents resolve issues which required Federal assistance. She paid personal attention to each case, whether it was helping resolve an IRS issue to helping people achieve the American Dream of securing their citizenship.

As my Deputy District Director, Benita managed my two district offices and staff in a mature, thoughtful, organized manner. Through her words and actions, Benita trained, mentored and inspired my staff to constantly challenge themselves to meet new goals while helping them along the way. I knew Benita could be counted on to deliver. I am grateful to have had her assist me in this capacity while my work kept me in Washington, DC.

Benita's passion, dedication and commitment to public service will be sorely missed. I am confident she will continue to excel in all future endeavors.

INTRODUCTION OF THE NATIONAL  
WATER RESEARCH AND DEVELOPMENT  
INITIATIVE ACT OF 2009

**HON. BART GORDON**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. GORDON of Tennessee. Madam Speaker, today I am introducing "The National Water Research and Development Initiative Act of 2009," which coordinates national research and development efforts on water and provides a clear path forward to ensure adequate water supplies for generations to come.

In the United States, over 50,000 water utilities withdraw approximately 40 billion gallons per day of water from the Nation's resources to supply water for domestic consumption, industry, and other uses. When severe water shortages occur, the economic effect can be substantial. According to a 2000 report from the National Oceanic and Atmospheric Administration, eight water shortages from drought or heat waves each resulted in \$1 billion or more in monetary losses over the past 20 years.

Water is essential to everything we do, and there is no substitute for it. Many Americans are unaware how stressed our water supplies have become. This situation will continue to be exacerbated by increases in population and energy demand and shifting weather patterns caused by climate change. In order to meet the water demands of the future, it is essential that we have the tools needed to utilize water resources efficiently and to maintain the quality of our water supplies. Sound water management is essential if we are to meet society's water needs for industry, agriculture, recreation, and power.

An adequate supply of treated water is integral to many industries, including agriculture and food processing, beverages, power generation, paper production, manufacturing, and mineral extraction. Water shortages can negatively affect companies and entire industries and reduce job creation and retention. Current industry trajectories, population growth, and dwindling water supplies all point to increased water shortages. Increased water demand will come with increased costs to all businesses, industries, and municipalities which rely on the same water resources. The Association of California Water Agencies reported in April 2008 that California is now losing income and jobs due to the State's water supply crisis.

If we are to meet the water crises of the future, we need an effective research and development effort that provides tools and information to manage our water resources effectively. Coordination of the 20 Federal agencies responsible for water programs is a logical place to start. The 2004 National Academies Report on Federal Water Research stated that the United States is not getting its money's worth on water resources research because of a lack of coordination.

The legislation I am introducing today builds on the Bush Administration's effort to coordinate Federal research on water resources by establishing an interagency committee—the Subcommittee on Water Availability and Quality (SWAQ) of the National Science and Technology Council. The bill codifies this subcommittee and provides it explicit Congressional authorization.

The bill also incorporates recommendations from the 2004 report by the National Academies of Science entitled, *Confronting the Nation's Water Problems: The Role of Federal Research* to strengthen the committee's role in setting priorities and developing an integrated budget to support research on water resources. The Academy's report indicated that SWAQ is an effective forum for agencies to share information about their efforts on water. However, the report identified several issues that needed to be addressed to make SWAQ an effective coordinating body.

This bill strengthens the budget function for SWAQ through participation of OMB on the subcommittee. In addition, SWAQ is directed to engage in outreach activities to develop connections to state and local governments, to a wider community of stakeholders, and to the public. These recommendations, and others, helped to form the basis of the initiative.

The Science and Technology Committee held hearings in 2008 to examine the problems associated with dwindling water supplies across the Nation and to receive testimony as to the recommended role of the Federal Government in meeting these challenges.

Witnesses at these hearings offered recommendations for improving the legislation and their suggestions were incorporated into the introduced language including the following: additional research outcomes, better mechanisms for public involvement, and improved facilitation of communication and outreach opportunities with non-governmental organizations.

It is critical that we actively pursue technological innovations to ensure future water supplies, and that Federal dollars spent on these efforts are utilized in a cost-effective manner. I offer this legislation to improve and coordinate Federal research and development efforts on water. I urge my colleagues to support the legislation and to speed its enactment into law.

## CAPTIVE PRIMATE SAFETY ACT

SPEECH OF

**HON. LOIS CAPPS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, February 23, 2009*

Mrs. CAPPS. Mr. Speaker, I rise today in support of H.R. 80, the Captive Primate Safety Act. This timely legislation would help ensure the safety of not only chimpanzees and other nonhuman primates, but for humans as well.

This legislation would keep chimpanzees and other nonhuman primates out of the pet trade and out of pet shops and out of our homes. In effect, this bill would prevent nonhuman primates from becoming pets, and instead, keep them in their natural environment or in a properly maintained facility.

There are several reasons why we must pass this legislation.

First, pet chimpanzees and other nonhuman primates can be very dangerous, even after years of attentive care.

The recent horrific attack by a pet chimpanzee reminds us that no matter how much care a well-intentioned pet owner gives a pet chimpanzee, chimpanzees and nonhuman primates remain wild animals.

Second, most people can not provide the appropriate care for chimpanzees and other nonhuman primates.

Last year I had the privilege to hear Jane Goodall testify at Natural Resources Committee legislative hearing in support of the Captive Primate Safety Act.

Dr. Goodall has dedicated her life to ensuring captive primates receive the attention and care they deserve, and that is why she strongly opposes having primates as pets.

She testified that although chimpanzees may seem attractive as pets, primates have complicated needs that are impossible for even well-intentioned pet owners to provide. For example, by the age of five, chimpanzees are often stronger than human adults and become destructive, difficult to contain, and dangerous.

Let us follow Jane Goodall's lead and work to protect these animals, not subject them to inadequate conditions.

Third, as a nurse, I am greatly concerned with the public health risk posed by nonhuman primates. Nonhuman primates are so genetically close to humans, diseases can easily transfer from nonhuman primates to humans. Zoonotic diseases have produced some of our history's most deadly disease epidemics: the plague, the ebola virus, and cholera, to name a few. It is clear, when we have unnecessary contact with nonhuman primates, we carelessly jeopardize the public's health.

Finally, chimpanzees and other nonhuman primates are wild animals, they do not belong in our homes or in pet shops. No matter how much love and attention nonhuman primates are given, they remain complex, wild, and unpredictable animals.

The Captive Primate Safety Act is good legislation for both primates and people. It will add primates to the list of wildlife species prohibited from interstate or foreign commerce and thus, keep nonhuman primates out of the pet trade.

Thank you and I urge all of my colleagues to join me in the supporting this timely legislation.

## EARMARK DECLARATION

**HON. JO BONNER**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. BONNER. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding earmarks I received as part of H.R. 1105, the Omnibus Appropriations Act, 2009.

Project Name: Mobile Harbor Turning Basin.  
Requesting Member: Congressman JO BONNER.

Bill Number: H.R. 1105.

Account: Army Corps of Engineers, Construction General Account.

Legal Name of Requesting Entity: Alabama State Port Authority.

Address of Requesting Entity: 250 North Water Street, Suite 300, Mobile, AL 36602.

Description of Request: Provide \$4.785 million to construct the Mobile Harbor Turning Basin project as authorized by the Water Resources Development Act of 1986 (PL99-662 Ninety-ninth Congress, Second Session) under the U.S. Army Corps of Engineers—Construction General Account. Initial project request anticipated expenditures of .04 per-

cent will be used for land; .11 percent will be used for navigation aids; .11 percent for removal of existing concrete debris; 3.97 percent for mobilization, preparation and demobilization of a 26 CY Bucket Dredge; 4.20 percent for mobilization, preparation and demobilization of a 30 inch Pipeline Dredge; 67 percent for the removal of and placement in designated dredge disposal areas approx. 2,699,232 cubic yards of dredged material; 5.32 percent for planning, engineering and design work; 2.42 percent for construction management; 12.57 percent in project construction contingency; and 3.83 percent in project escalation. The U.S. Army Corps of Engineers conducted an Environmental Assessment in accordance with Engineer Regulation (ER) 200-2-2, Procedures for Implementing the National Environmental Policy Act (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing Procedural Provisions of the National Environmental Policy Act (40 Code of Federal Regulations (CFR) Pts. 1500-1508) resulting in a FINDING OF NO SIGNIFICANT IMPACT (FONSI). Construction of the authorized turning basin has been evaluated by the U.S. Army Corps of Engineers through the Corps General Reevaluation Report (GRR) to alleviate harbor delays and improve safety conditions, and reflects a benefit-to-cost ratio of 3.46 to 1. This project is permitted. This request is consistent with the intended and authorized purpose of U.S. Army Corps of Engineers General Construction account. The Alabama State Port Authority, the 10th largest port in the U.S., is the federally designated local sponsor for the Port of Mobile Harbor and will provide the 25 percent cost share for the Mobile Harbor Turning Basin project. The Alabama State Port Authority's 25 percent cost share funding is secured. Turning basin will help serve a new container terminal, coal terminal and two raw material terminals.

Project Name: Mobile Harbor.

Requesting Member: Congressman JO BONNER.

Bill Number: H.R. 1105.

Account: Army Corps of Engineers, Operations and Maintenance.

Legal Name of Requesting Entity: Alabama State Port Authority.

Address of Requesting Entity: 250 North Water Street, Suite 300, Mobile, Alabama 36602.

Description of Request: Provide \$20.014 million for normal Operations and Maintenance of the Mobile Harbor Project, Mobile Alabama. Mobile Harbor is the nation's 10th largest port and is critical to the movement of a variety of products necessary for the nation's economy. Mobile Harbor handles 59 million tons of cargo annually and serves a wide range of Alabama and southeastern industries. Approximately \$20.014 million of these funds will be used for maintenance dredging of the bay and river channels, as well as for condition surveys, dredging surveys, disposal area maintenance and ESA/WQC coordination. This request is consistent with the intended and authorized purpose of the Army Corps of Engineers, Operations and Maintenance account.

Project Name: Coosa-Alabama River Lakes.  
Requesting Member: Congressman JO BONNER.

Bill Number: H.R. 1105.

Account: Army Corps of Engineers, Operations & Maintenance.

Legal Name of Requesting Entity: U.S. Army Corps of Engineers, Mobile District.

Address of Requesting Entity: USACE Mobile District, 109 St. Joseph Street, Mobile, Alabama 36602.

Description of Request: Provide \$17 million for normal operations and maintenance of the Alabama River navigation channel as authorized by the River and Harbor Act of 1947. Initial project request anticipated expenditure of 4 percent will be used for environmental stewardship; 45 percent will be used for hydro-power maintenance; 29 percent will be used for navigation; 19 percent will be used for continued maintenance on public access sites; and 3 percent will be used for other project expenses.

Project: Scanning Hydrographic Operational Airborne LiDAR Survey Systems.

Requesting Member: Congressman JO BONNER.

Bill Number: H.R. 1105.

Account: Army Corps of Engineers, Operations and Maintenance.

Legal Name of Requesting Entity: U.S. Army Corps of Engineers, Mobile District.

Address of Requesting Entity: USACE Mobile District, 109 St. Joseph Street, Mobile, AL 36602.

Description of Request: Provide \$13.9 million to acquire data collection in the Gulf of Mexico under the National Coastal Mapping Program and facilitate the deployment of LiDAR technology under the Coastal Zone Mapping Imaging LiDAR (CZMIL) program. Approximately, 50 percent will provide funds to perform routine coastal mapping activities and for completion of CZMIL detailed design to include construction and assembly of sensor sub-systems; 14 percent will be utilized to accelerate CZMIL development into fabrication phase, 14 percent will allow for the completion of coastal mapping activities on the west coast in southern CA; 7 percent will be used for exhaustive CZMIL component tests to reduce risk in the fabrication phase; 13 percent will initiate surveys on the Gulf coast in the state of Texas. LiDAR Survey System will provide coastal mapping and charting along the coast to reflect changes due to recent hurricanes and to serve as a part of a master program for U.S. emergency preparedness and response.

Project Name: Auburn University Bioenergy and Bioproducts Laboratory

Requesting Member: Congressman JO BONNER.

Bill Number: H.R. 1105.

Account: Department of Energy, EERE—Biomass Biorefinery Systems R&D.

Legal Name of Requesting Entity: Auburn University.

Address of Requesting Entity: 202 Samford Hall, Auburn, AL 36849.

Description of Request: Provide \$951,500 to fund the continued development of a comprehensive, interdisciplinary bioenergy and bioproducts laboratory at Auburn University. The funds will be expended for research on systems to produce alternatives to petroleum based fuels—i.e., biofuels and other bioproducts. Outcomes of this research will reduce our dependence on foreign oil, reduce the production of greenhouse gases, and will revitalize our local economies. The initial project request anticipated expenditures of approximately 50 percent will be used for laboratory equipment; 10 percent will be used for laboratory supplies; 37 percent will be used for laboratory personnel; 2 percent will be used for travel to collect data and present research re-

sults. Matching non-federal funds will come from Auburn University. No funds will come from nongovernmental source and no funds will be disbursed to other private/public entities.

Project Name: U.S. HWY 43 Main, Jackson, Alabama.

Requesting Member: Congressman JO BONNER.

Bill Number: H.R. 1105.

Account: Environmental Protection Agency, State & Tribal Grants.

Legal Name of Requesting Entity: City of Jackson, Alabama.

Address of Requesting Entity: 400 Commerce Street, Alabama 36545.

Description of Request: Provide \$500,000 to establish Phase I of an expansion of the water system between Jackson, AL and Grove Hill, AL. The total cost of Phase 1 is projected to be \$4,981,800.00, which includes approximately, \$3,492,000.00 to provide lengths of 24-inch water main; \$65,000.00 for ten 24-inch gate valves, boxes, and markers; \$300,000 for 800 road bores, setup, casings, and carrier pipe; \$25,000 for five fire hydrant assemblies; and \$450,000 for a water booster station upgrade. An additional \$649,800 is estimated for engineering and design costs associated with phase I. The expansion is needed to provide clean drinking water and infrastructure support for existing jobs and to attract new jobs in Jackson and regionally. This request is consistent with the authorized purpose of the EPA's STAG account. The City of Jackson will provide or cause to be provided a minimum of a 45-percent matching cost share.

Project Name: Historic Blakeley Park Spanish Fort.

Requesting Member: Congressman JO BONNER.

Bill Number: H.R. 1105.

Account: National Park Service, Save America's Treasures.

Legal Name of Requesting Agency: Historic Blakeley Authority.

Address of Requesting Entity: 34745 State Highway 225, Spanish Fort, Alabama 36577.

Description of Request: Provide \$50,000 to establish infrastructure such as water, power and sewer to public areas of Blakeley State Park. Approximately 60 percent will be used for materials and supplies; 30 percent will be used for labor and equipment; 10 percent will be used for professional service and fees. Blakeley Park, which commemorates the site of the last battle of the Civil War, is a National Historic Register site and also serves as a training area for the Alabama National Guard. Funding will be matched by Blakeley Park and will prevent further damage to the park and allow the extension of water and power lines to areas currently without utilities.

Project Name: University of South Alabama, Mitchell Cancer Institute, Emerging Technologies Radiotherapy and the Disaster Medical Training Center.

Requesting Member: Congressman JO BONNER.

Bill Number: H.R. 1105.

Account: Department of Health & Human Services, HRSA, Health Facilities and Services.

Legal Name of Requesting Entity: The University of South Alabama.

Address of Requesting Entity: 307 University Boulevard, AD 131, Mobile, AL 36688.

Description of Request: Provide \$951,000 for facilities and equipment at the University of

South Alabama Mitchell Cancer Institute (MCI) and the Disaster Medical Training Center (DMTC). The initial project request anticipated expenditures of approximately 50 percent will be used to fund 7,500-foot expansion of the MCI, including the purchase of two high-energy radiation vaults and MRI/Gamma irradiation "Renaissance" technology, for which the university has also committed funds. The second 50 percent will be used for equipment and infrastructure development of the DMTC. Approximately 12 percent of these funds will be used for a high performance server with workstations; 36 percent will be used for two METI i-STAN human patient simulators, 9 percent will be used for five high resolution projectors, projection screens, and laptops; 2 percent will be used for cameras and sound equipment for videoconferencing; 19 percent will be used for software licenses needed to run simulations and visualizations; 20 percent will be used to renovate existing space. The DMTC equips hospitals, first responders, and public safety officials with the necessary real-time information and integrated systems to prepare for and manage patients and communities' critical health and safety needs in the event of a disaster.

Project Name: University of Alabama, West Alabama Autism Outreach.

Requesting Member: Congressman JO BONNER.

Bill Number: H.R. 1105.

Account: Department of Health and Human Services, HRSA, Health Facilities and Services.

Legal Name of Requesting Entity: The University of Alabama.

Address of Requesting Entity: 201 Rose Administration Building, Tuscaloosa, AL 35487-0117.

Description of Request: Provide \$666,000 to establish a regional autism center that provides clinical services, professional education, and research at the University of Alabama. The initial project request anticipated expenditures of approximately 63 percent will be used to establish a central university-based autism clinic that will provide interdisciplinary diagnostic and treatment services to individuals with autism; 25 percent will be used to establish a satellite clinic in the rural, impoverished Black Belt region of Alabama; 12 percent will be used to create a coordinated clinical and research database. This request would be combined with \$95,000 in matching funds from the Alabama Council for Developmental Disabilities. Autism spectrum disorders affect 1 in every 150 individuals including approximately 300,000 in Alabama. A regional center that provides diagnostics services, intervention services, and professional education in both urban and rural areas answers a critical public health need in the west Alabama community and should greatly improve the quality of life of individuals with autism and their families.

Project Name: Alabama Institute for the Deaf and Blind, Employment and Education Training.

Requesting Member: Congressman JO BONNER.

Bill Number: H.R. 1105.

Account: Department of Labor, Employment and Training Administration (ETA), Training and Employment Services (TES).

Legal Name of Requesting Entity: Alabama Institute for Deaf and Blind (AIDB).

Address of Requesting Entity: 1050 Government Street, Mobile, Alabama 36604.

Description of Request: Provide \$190,000 to develop and implement a collaborative employer training and job development program for significantly disabled citizens with hearing and vision loss in southwest Alabama. The initial project request anticipated expenditures of approximately 77 percent will be used for job coach development; 17 percent will be used for assistive technology; and 5 percent will be used for employer training. High unemployment and low income statistics for deaf and blind adults are critical national issues while 70 percent of blind individuals are unemployed and more than a third of deaf adults earn 60 percent less than their hearing peers. This program will focus on job development through assistive technology and employer training in working with disabled employees, part of a statewide education effort to be matched 33 percent by AIDB.

Project Name: Gulf Coast Flood Elevation Study, Baldwin County.

Requesting Member: Congressman JO BONNER.

Bill Number: H.R. 1105.

Account: Dept. of Commerce, NOAA—Program Support, Operations, Research and Facilities.

Legal Name of Requesting Entity: Baldwin County Commission.

Address of Requesting Entity: 312 Courthouse Square, Suite 12, Bay Minette, Alabama 36507.

Description of Request: Provide \$1,000,000 to complete a Gulf Coast flood elevation study in Baldwin County, Alabama. Approximately, 60 percent is for hydrological assessment and engineering; 20 percent for flood management plan development; 5 percent for flood mapping; 7.5 percent for potable water study; and 7.5 percent for waste water study. Focus of study is to update and expand current FEMA flood maps, which were not adequately updated post-Hurricane Katrina, for this Gulf-front county in order to ensure proper rebuilding and new construction in this region.

Project Name: Gulf Coast Flood Elevation Study, Mobile County.

Requesting Member: Congressman JO BONNER.

Bill Number: H.R. 1105.

Account: Dept. of Commerce, NOAA—Program Support, Operations, Research Facilities.

Legal Name of Requesting Entity: Mobile County Commission.

Address of Requesting Entity: 205 Government Street, Mobile, Alabama 36644.

Description of Request: Provide \$1,000,000 to complete a Gulf Coast Flood Elevation Study in Mobile County, Alabama. Approximately, 45 percent is for flood elevation modeling; 20 percent for engineering and surveying; 20 percent for mapping; and 15 percent for administration, management, and quality assurance and control. This request is intended to aid in meeting the need for revised flood mapping in the coastal areas of Mobile County. Focus of study is to update and expand current FEMA flood maps, which were not adequately updated post-Hurricane Katrina, for this Gulf-front county in order to ensure proper rebuilding and new construction in this region.

Project Name: Zerometh Methamphetamine (METH) Campaign.

Requesting Member: Congressman JO BONNER.

Bill Number: H.R. 1105.

Account: Dept. of Justice, COPS Law Enforcement Technology.

Legal Name of Requesting Entity: Alabama District Attorneys Association.

Address of Requesting Entity: 515 South Perry Street, Montgomery, Alabama 36104.

Description of Request: Provide \$500,000 to fund marketing, production and media placement for the Alabama statewide ZEROMETH Public Awareness Campaign—an awareness effort aimed at teens to discourage METH use. Approximately, 50 percent will be used to create, film, photograph, edit and purchase three TV commercials, outdoor, radio and print ads and support staff; 30 percent will be used for media flights/buys in designated market areas of Alabama; 10 percent will be used for creation and production of ZEROMETH brochure, training DVD and distribution material, 5 percent will be used for monitoring, maintenance and update of ZEROMETH website; and 5 percent will be used for high school presentation materials, displays and interactive educational vehicles. Campaign will allow statewide deployment of the only meth awareness public health campaign in Alabama targeting teens and young adults in a state that is home to the most meth incidents among Gulf Coast states and that has seen an increase in local Mexican drug trafficking organizations (DTO) trafficking of a more pure form of meth known as “ice.” This request will be supported in matching funds and contributions.

Project Name: Team Focus Youth Mentoring Program.

Requesting Member: Congressman JO BONNER.

Bill Number: H.R. 1105.

Account: Department of Justice, Juvenile Justice Programs.

Legal Name of Requesting Entity: Team Focus, Inc.

Address of Requesting Entity: 1105 Hillcrest Road, Suite A, Mobile, AL 36695.

Description of Request: Provide \$500,000 for “Team Focus, Inc.,” a 501(c)3 non-profit organization, to provide fatherless young men in southwest Alabama with leadership skills, guidance, spiritual and moral values, and a continuing relationship with a carefully selected adult mentor. In addition, Team Focus will host a model leadership camp training program uniquely designed to provide guidance and support to young men who do not have a father in their home; encourage young men in academics, athletics, social skills, and moral and spiritual values; develop leadership skills and teamwork; motivate boys to strive for higher positive goals and achieve victories; create a safe environment for young men to grow in society; and build support through work with families, teachers, counselors, and positive role models. This federal earmark will be combined with matching private contributions.

Project Name: Law Enforcement Technology, Gulf Shores, Alabama.

Requesting Member: Congressman JO BONNER.

Bill Number: H.R. 1105.

Account: Department of Justice, COPS Law Enforcement Technology.

Legal Name of Requesting Entity: City of Gulf Shores, Alabama.

Address of Requesting Entity: 1905 West 1st Street, Gulf Shores, Alabama 36547.

Description of Request: Provide \$350,000 to provide wireless communications to police ve-

hicles and provide security cameras to public beach and park areas. Initial project request anticipated expenditures of 45 percent will be used for mobile units; 15 percent will be used for hand held units; 12 percent will be used for base units; 15 percent will be used for repeaters; 11 percent will be used for installation costs; and 2 percent will be used for permit/FCC licenses. Current communications equipment has serious coverage problems which poses a threat to officer safety and is not P-25 compliant, as required by the FCC by year 2013. Funding will also aid police in monitoring drug trafficking in this high traffic area. Gulf Shores, a city of 7,000, swells to well over 25,000 on weekdays and 75,000 to 100,000 on weekends, in the spring and summer months. The City of Gulf Shores will provide matching funds.

Project Name: Perdido Pass Inlet Study, Orange Beach, Alabama.

Requesting Member: Congressman JO BONNER.

Bill Number: H.R. 1105.

Account: Department of Commerce, NOAA—Program Support Operations, Research and Facilities.

Legal Name of Requesting Entity: City of Orange Beach.

Address of Requesting Entity: P.O. Box 458, Orange Beach, Alabama.

Description of Request: Provide \$250,000 to fund a study to be used in conjunction with the U.S. Army Corps of Engineers (USACE) to implement recommended improvements to sand disposal around the navigation channel at Perdido Pass, located in Orange Beach, Alabama. The initial request anticipated expenditures of approximately 66 percent for economic and environmental analysis engineering, surveying, and modeling; 23 percent for environmental modeling and analysis; 10 percent for component integration. The City of Orange Beach itself has invested tens of millions of dollars to nourish and protect its Gulf-front and interior shorelines, which are often altered by hurricanes. The channel is used by local industry as well as for recreation. The study will develop and evaluate sand disposal practices in order to conserve and reuse sand that collects within the inlet for future renourishment. Proper sand management will also provide a source of fill material for environmental habitat protection.

Project Name: Runway 18/36 and Taxiway Rehabilitation, Mobile, Alabama.

Requesting Member: Congressman JO BONNER.

Bill Number: H.R. 1105.

Account: THUD, FAA, Airport Improvement Program.

Legal Name of Requesting Entity: Mobile Airport Authority.

Address of Requesting Entity: 8400 Airport Blvd., Mobile, Alabama 36608.

Description of Request: Provide \$1,900,000 through the Airport Improvement Program, implemented by the FAA, to rehabilitate and strengthen Runway (RW) 18/36 and its parallel Taxiway “R” (TW-R) at Mobile Regional Airport (MOB). Initial project request anticipated expenditures of 7 percent will be used for milling; 67 percent for asphalt; 2 percent for markings; 1 percent for grooving; 9 percent for shoulder redressing; 17 percent for engineering. The Mobile Airport Authority’s required cost share is secured. RW 18/36 and TW-R have begun unraveling, creating a safety hazard for aircraft traffic. Strengthening of

the surfaces is necessary to support the type of aircraft that will be taxiing across RW18/36 and on TW-R to access the aircraft maintenance and assembly complex located off TW-R. This project will be completed by adhering to all FAA standards for airport construction and development, and the Mobile Airport Authority will provide matching funds as needed.

Project Name: Atmore, Alabama Municipal Airport.  
Requesting Member: Congressman JO BONNER.

Bill Number: H.R. 1105.

Account: THUD, FAA, Airport Improvement Program.

Legal Name of Requesting Entity: City of Atmore.

Address of Requesting Entity: 201 East Louisville Avenue, Atmore, Alabama 36502.

Description of Request: Provide \$1,140,000 to upgrade and improve the Atmore Municipal Airport in Atmore, Alabama. Funding is to be used to provide renovations from hurricane-related losses during Hurricane Ivan in 2004; to improve airport safety zones; and to construct an additional access road to the airport which will provide direct access to the highway and open an additional 43 acres for industrial development. The City of Atmore has spent considerable amounts of its own resources to improve and diversify its local economy, and improvements to the airport will assist the City and region to attract industry to Atmore. This project is consistent with the intended and authorized purpose of the Transportation-Airports account.

Project Name: US HWY 43 Lighting, Thomsville, Alabama.

Requesting Member: Congressman JO BONNER.

Bill Number: H.R. 1105.

Account: Federal HWY Administration, Transportation and Community and System Preservation.

Legal Name of Requesting Entity: City of Thomasville.

Address of Requesting Entity: 137 Adams Avenue, Thomasville, Alabama 36784.

Description of Request: Provide \$380,000 to provide lighting for U.S. Highway 43 in Thomsville, Clarke County, AL from mile marker 90 to mile marker 87. This commercial corridor in southwest Alabama is one of the most rapidly developing commercial and industrial areas between Mobile and Tuscaloosa, AL. Adequate lighting is needed to illuminate this area for safety and to encourage additional development. This area includes entrances to two industrial parks, a proposed medical center, Alabama Southern Community College, and the main thoroughfare to all of the City's schools and related facilities.

#### EARMARK DECLARATION

### HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. BARTON of Texas. Madam Speaker, I rise today to submit documentation consistent with the Republican Earmark Standards.

Requesting Member: Congressman JOE BARTON.

Bill Number: H.R. 1105—FY 2009 Omnibus Appropriations Act.

Account: Buses and Bus Facilities.

Legal Name of Receiving Entity: Fort Worth Transportation Authority (The T).

Address of Receiving Entity: 1600 E. Lancaster Avenue, Fort Worth, TX 76102.

Description of Request: I have secured \$1,425,000 in funding in H.R. 1105 in the Buses and Bus Facilities account for CNG bus replacement by The T, Fort Worth, TX. The funding will be used to purchase coaches to replace the oldest vehicles in The T's fleet to be completed by October 31, 2010.

Requesting Member: Congressman JOE BARTON.

Bill Number: H.R. 1105—FY 2009 Omnibus Appropriations Act.

Account: Elementary and Secondary Education (includes FIE).

Legal Name of Receiving Entity: Ennis Independent School District.

Address of Receiving Entity: 303 W. Knox, Ennis, TX 75120.

Description of Request: I have secured \$238,000 in funding in H.R. 1105 in the Elementary and Secondary Education (includes FIE) account for the Alternative Learning Center, Ennis ISD, Ennis, TX. The funding will be used to establish an alternative approach to education for some of its most needy students. The Alternative Learning Center (ALC) will provide flexible hours for students to take core academic subjects needed for graduation as well as to participate in a variety of work/study programs to be better prepared for the workforce.

Requesting Member: Congressman JOE BARTON.

Bill Number: H.R. 1105—FY 2009 Omnibus Appropriations Act.

Account: Higher Education (includes FIPSE).

Legal Name of Receiving Entity: University of Texas at Arlington.

Address of Receiving Entity: 701 South Nedderman Drive, Arlington, TX 76019.

Description of Request: I have secured \$143,000 in funding in H.R. 1105 in the Higher Education (includes FIPSE) account for the University of Texas at Arlington Systems Engineering Testbed: Systems Engineering Learning and Research Reinvented. The funding will be used to provide a unique simulation environment for students to study, predict performance, and analyze changes prior to project implementation; provide access to systems engineering tools at various phases of a project lifecycle; and serve as a resource for systems engineers to utilize for training.

Requesting Member: Congressman JOE BARTON.

Bill Number: H.R. 1105—FY 2009 Omnibus Appropriations Act.

Account: EERE.

Legal Name of Receiving Entity: University of Texas at Arlington.

Address of Receiving Entity: 701 South Nedderman Drive, Arlington, TX 76019.

Description of Request: I have secured \$1,403,463 in funding in H.R. 1105 in the EERE account for the Center for Renewable Energy, Science and Technology (CREST). The funding will be used to build state-of-the-art facilities at UT Arlington. This funding will enable CREST researchers to fully explore National energy objectives by studying (1) alternative energy technologies, including clean coal, biomass feedstock, solar photovoltaic de-

vices, wind, and fuel cells; (2) cost-effective delivery of energy for both vehicles and electric power generation via optimal planning and management of hydrogen distribution and power grid integration; and (3) intelligent energy decision-making, including power monitoring, environmental, and economic issues.

Requesting Member: Congressman JOE BARTON.

Bill Number: H.R. 1105—FY 2009 Omnibus Appropriations Act.

Account: COPS Law Enforcement Technology.

Legal Name of Receiving Entity: City of Arlington.

Address of Receiving Entity: 101 W. Abram St., Arlington, TX 76004-3231.

Description of Request: I have secured \$500,000 in funding in H.R. 1105 in the COPS Law Enforcement Technology account for the City of Arlington, TX. The funding will be used to purchase interoperable communications equipment and to help equip a secure, integrated Police, Fire, and Transportation preparedness and emergency response center in Arlington's Entertainment District (Texas Rangers Ballpark in Arlington, Six Flags Over Texas, the Arlington Convention Center, the GloryPark development and the Dallas Cowboys Stadium Complex).

Requesting Member: Congressman JOE BARTON.

Bill Number: H.R. 1105—FY 2009 Omnibus Appropriations Act.

Account: Corps of Engineers, Construction.

Legal Name of Receiving Entity: City of Arlington.

Address of Receiving Entity: 101 W. Abram St., Arlington, TX 76004-3231.

Description of Request: I have secured \$1,914,000 in funding in H.R. 1105 in the Corps of Engineers, Construction account for Johnson Creek, City of Arlington, TX. The funding will be used to reduce flood damage, stabilize Johnson Creek's streambed and stream valley, restore riparian areas and wildlife habitats, mitigate and prevent silt accumulation, improve water quality and provide an important recreational amenity that traverses the entire City of Arlington.

Requesting Member: Congressman JOE BARTON.

Bill Number: H.R. 1105—FY 2009 Omnibus Appropriations Act.

Account: Facilities and Equipment (FAA).

Legal Name of Receiving Entity: City of Arlington.

Address of Receiving Entity: 101 W. Abram St., Arlington, TX 76004-3231.

Description of Request: I have secured \$963,300 in funding in H.R. 1105 in the Facilities and Equipment (FAA) account for the Medium Approach Lighting System, Arlington Municipal Airport, Arlington, TX. The funding will be used for construction and installation of a Medium Approach Lighting System at the Arlington Municipal Airport to supplement and enhance the existing Instrument Landing System (1LS) for Runway 34.

Requesting Member: Congressman JOE BARTON.

Bill Number: H.R. 1105—FY 2009 Omnibus Appropriations Act.

Account: Economic Development Initiatives.

Legal Name of Receiving Entity: Arlington Chamber of Commerce.

Address of Receiving Entity: 505 East Border, Arlington, TX 76010.

Description of Request: I have secured \$190,000 in funding in H.R. 1105 in the Economic Development Initiatives account for the Center for Innovation. The funding will be used to complete The Center for Innovation at Arlington, TX.

### INFRASTRUCTURE ENHANCEMENT PROJECTS

#### HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 2009

Mr. SHUSTER. Madam Speaker, I submit for the RECORD a letter to the Honorable NANCY PELOSI, the Honorable JOHN OLVER, and the Honorable DAVE OBEY from myself and Chairwoman CORRINE BROWN regarding infrastructure enhancement projects included in the economic stimulus bill and the potential impact on existing utility infrastructure.

WASHINGTON, DC,  
February 12, 2009.

Hon. NANCY PELOSI,  
Office of the Speaker, H-232, U.S. Capitol,  
Washington, DC.

Hon. JOHN OLVER,  
Chairman, Trans-HUD Subcommittee, Room  
2358-A, Rayburn HOB, Washington, DC.

Hon. DAVE OBEY,  
Chairman, House Appropriations Committee, H-  
218, U.S. Capitol, Washington, DC.

DEAR COLLEAGUES: As the Chairwoman and Ranking Member of the Transportation and Infrastructure Committee Railroads, Pipelines, and Hazardous Materials Subcommittee, we wanted to take this opportunity to bring to your attention a serious issue impacting utility infrastructure and ratepayers.

The economic stimulus bill that we are debating directs billion of dollars toward infrastructure enhancement projects—with a significant portion allocated for highway construction. As is common with highway projects, their construction may require the relocation of existing utility infrastructure located within the existing public right-of-way or adjacent to the right-of-way, including natural gas distribution pipelines and power lines (both overhead and underground). With the substantial increase in federal funding provided by the stimulus package to states, counties and cities for highway projects, it is our understanding that utilities want to make sure that their customers are not asked to absorb major new and unforeseen costs.

As you may know, the current blueprint for how natural gas and electric utilities are reimbursed for these relocation costs is not uniform. Some states have laws or policies that allow for federal highway funds to be used to cover all or a portion of the costs of relocation. However, in many states, utilities are not reimbursed and these costs are ultimately borne by utility ratepayers. These increased costs to ratepayers could potentially negatively impact the goals of the stimulus package by creating a de facto "economic stimulus bill" surcharge in their utility rates.

Additionally, pipeline and power line relocation associated with highway construction are often hampered by a lack of coordination and communication between the highway authorities and utilities. This can result in project delays and interruption of utility service. With the large number of projects that will be funded by the stimulus, there is a need for an effective consultative process under which utility companies and highway project managers would discuss and can reach agreement on construction scheduling. Such

a process would allow all parties to discuss the timing of construction and relocation and secure the availability of labor and material so that the projects funded by the stimulus bill can advance expeditiously.

Let's make these taxpayer dollars work effectively by ensuring that highway infrastructure projects not only proceed in a coordinated and efficient manner but also allow utilities to be fairly reimbursed.

We appreciate your attention to this important matter and look forward to working with you to advance the economy of our country while protecting the interests of taxpayers and utility rate payers.

Sincerely,

BILL SHUSTER,  
Member of Congress.  
CORRINE BROWN,  
Member of Congress.

### EARMARK DECLARATION

#### HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 2009

Mr. EHLERS. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding earmarks I received as part of H.R. 1105, the Omnibus Appropriations Act, 2009. Requesting Member: Congressman VERNON J. EHLERS.

Bill Number: H.R. 1105.

Account: Cooperative State Research Education and Extension Service—SRG.

Legal Name of Requesting Entity: Michigan State University College of Agriculture and Natural Resources.

Address of Requesting Entity: 102 Agriculture Hall, East Lansing, Michigan 48824.

Description of Request: Provide \$266,000 for Sustainable Agriculture: Expanding and Refining the Ecosystem Base (Sustainable Agriculture). The funding will be used for research to assist farmers on sustainable agriculture practices to help farmers manage their crops for excellent yields, while reducing fertilizer and pesticide use and stemming nutrient losses to ground and surface water. Approximately, \$385,000 is for salaries of 11 researchers; \$15,000 is for travel expenses; \$10,000 is for farmer stipends; \$25,000 is for materials and supplies; and \$65,000 is for communication and outreach. Michigan State University expects to leverage at least \$150,000 in state, local, and private funds.

Bill Number: H.R. 1105.

Account: Cooperative State Research Education and Extension Service—SRG.

Legal Name of Requesting Entity: Michigan State University College of Agriculture and Natural Resources.

Address of Requesting Entity: 102 Agriculture Hall, East Lansing, Michigan 48824.

Description of Request: Provide \$346,000 for Phytophthora Capsici research. The funding will be used for researching this fungal-like pathogen that lives in the soil and causes plants to rot. This funding will go towards salaries of researchers, laboratory and field equipment, travel expenses, and publication or results. This program receives other federal/state/local/industry funding.

Bill Number: H.R. 1105.

Account: Cooperative State Research Education and Extension Service—SRG.

Legal Name of Requesting Entity: Michigan State University College of Agriculture and Natural Resources.

Address of Requesting Entity: 102 Agriculture Hall, East Lansing, Michigan 48824.

Description of Request: Provide \$346,000 for Controlling Fire Blight Disease of Apple Trees. The funding will be used for research to develop blight-resistant varieties and new, environmentally responsible control strategies to combat this disease. Approximately, \$148,000 is for the salaries of laboratory and field research personnel and \$36,000 is for materials and supplies. Michigan State University (MSU) has obtained funding from the Michigan Apple Committee and industry sources and will continue to fund the fire blight research at MSU at a level of \$52,500 in FY09.

Bill Number: H.R. 1105.

Account: Cooperative State Research Education and Extension Service—SRG.

Legal Name of Requesting Entity: Michigan State University College of Agriculture and Natural Resources.

Address of Requesting Entity: 102 Agriculture Hall, East Lansing, Michigan 48824.

Description of Request: Provide \$147,000 for Improving the Sustainable Production of Specialty Crops (Improved Fruit Practices). The funding will be used for research to assist growers in producing high quality fruit, dry beans, and sugar beets with environmentally sound, safe, and effective pest control methods and management approaches. Approximately, \$131,440 is for salaries and expenses and the remainder is for lab maintenance and equipment. In addition to the federal funds provided by this grant, this research is supported by personnel, equipment, and facilities funded by the Michigan agricultural Experiment Station and Michigan State University Extension.

Bill Number: H.R. 1105.

Account: Natural Resources Conservation—Conservation Operations.

Legal Name of Requesting Entity: Great Lakes Commission.

Address of Requesting Entity: 2805 S. Industrial Hwy, Suite 100, Ann Arbor, MI 48104-6791.

Description of Request: Provide \$404,000 for the Great Lakes Basin Program for Soil Erosion and Sediment Control. This funding will protect and improve Great Lakes water quality by controlling erosion and sedimentation; limiting the input of associated nutrients and toxic contaminants; and minimizing off-site sources of damage to harbors, streams, fish and wildlife habitat, recreational facilities and the Basin's system of public works.

Bill Number: H.R. 1105.

Account: Office of Justice Programs—Juvenile Justice.

Legal Name of Requesting Entity: Our Community's Children.

Address of Requesting Entity: 300 Monroe Ave NW, Grand Rapids, MI 49503.

Description of Request: Provide \$500,000 for extending the length of summer after-school programming and expand after-school programs that serve high school youth.

Bill Number: H.R. 1105.

Account: Corps of Engineers—Investigations.

Legal Name of Requesting Entity: Army Corps of Engineers, Great Lakes and Ohio River Division.

Address of Requesting Entity: 550 Main Street, Room 10032, Cincinnati, Ohio, 45202.  
Description of Request: Provide \$1,195,000 for the Great Lakes Remedial Action Plans to help states and local communities plan and implement contaminated sediment remediation projects in Great Lakes Areas of Concern.

Bill Number: H.R. 1105.

Account: Corps of Engineers—Construction.  
Legal Name of Requesting Entity: Army Corps of Engineers, Great Lakes and Ohio River Division.

Address of Requesting Entity: 550 Main Street, Room 10032, Cincinnati, Ohio, 45202.  
Description of Request: Provide funding for the Electric Dispersal Barrier on the Chicago Ship & Sanitary Canal. This barrier is intended to keep aquatic invasive species from entering into the Great Lakes from the canal. This request received two line items: \$5,750,000 for the first dispersal barrier and \$500,000 for the second barrier.

Bill Number: H.R. 1105.

Account: Corps of Engineers—Construction.  
Legal Name of Requesting Entity: Army Corps of Engineers, Great Lakes and Ohio River Division.

Address of Requesting Entity: 550 Main Street, Room 10032, Cincinnati, Ohio, 45202.

Description of Request: Provide \$2,157,000 for the Great Lakes Fishery & Ecosystem Restoration program. The Great Lakes sustain a nationally and internationally significant fishery that has been degraded by habitat losses, contamination, and invasive species. Under this program, the Corps will coordinate with other federal, state, and local agencies and the Great Lakes Fishery Commission to plan, implement, and evaluate projects supporting the restoration of the fishery, ecosystem, and beneficial uses of the Great Lakes. This program is an important component of the Great Lakes Regional Collaboration Strategy.

Bill Number: H.R. 1105.

Account: Dept of Energy—Energy Efficiency and Renewable Energy.

Legal Name of Requesting Entity: City of Grand Rapids.

Address of Requesting Entity: 300 Monroe Ave., NW., Grand Rapids, MI 49503.

Description of Request: Provide \$142,725 for installation of a green roof. The roof will be installed on the City Building and demonstrate to a wide audience the energy savings and best practices for maintenance.

Bill Number: H.R. 1105.

Account: Health Resources and Services Administration—Health Facilities and Services.  
Legal Name of Requesting Entity: Helen DeVos Children's Hospital.

Address of Requesting Entity: 100 Michigan St., NE., Grand Rapids, MI 49503.

Description of Request: Provide \$190,000 for the Pediatric Hematology, Oncology and Bone Marrow Transplant Clinic and Pediatric Infusion Center. Approximately 80 percent of the funds will be used for purchasing equipment and 20 percent for technology information services.

Bill Number: H.R. 1105.

Account: Health Resources and Services Administration—Health Facilities and Services.  
Legal Name of Requesting Entity: Metro Health.

Address of Requesting Entity: 5900 Byron Center Ave., SW., Wyoming, MI 49519.

Description of Request: Provide \$95,000 for an electronic medical records initiative.

Bill Number: H.R. 1105.

Account: Health Resources and Services Administration—Health Facilities and Services.

Legal Name of Requesting Entity: Pine Rest Christian Mental Health Services.

Address of Requesting Entity: 300 68th Street SE; PO BOX 165, Grand Rapids, MI 49501.

Description of Request: Provide \$285,000 for an electronic medical records initiative. Approximately, 33 percent of the funding will be used to purchase servers and a storage device for data system; 33 percent will be used to purchase software; and 33 percent will be used for redundant data lines.

Bill Number: H.R. 1105.

Account: Environmental Protection Agency—STAG Water and Wastewater Infrastructure Projects.

Legal Name of Requesting Entity: The City of Grand Rapids, Michigan.

Address of Requesting Entity: 300 Monroe Avenue NW., Grand Rapids, Michigan 49503.

Description of Request: Provide \$500,000 for the City of Grand Rapids, Michigan, East Side Combined Sewer Overflow Separation Improvements. The City of Grand Rapids has invested \$200 million to separate combined sewers over the last decade.

Bill Number: H.R. 1105.

Account: Buses and Bus Facilities.

Legal Name of Requesting Entity: City of Belding, Dial-a-Ride.

Address of Requesting Entity: 100 Depot Street, Belding, MI 48809.

Description of Request: Provide \$99,560 for the City of Belding's Dial-a-Ride. This funding will help the Dial-a-Ride acquire a new heating and cooling system for the Pere Marquette Depot, where their dispatch center is located. It will also help fund exterior lights and a fire suppression system at their garage. There is a 20 percent local share from the Michigan Department of Transportation.

Bill Number: H.R. 1105.

Account: Buses and Bus Facilities.

Legal Name of Requesting Entity: City of Ionia, Dial-a-Ride.

Address of Requesting Entity: 251 East Adams Street, Ionia, Michigan, 48846.

Description of Request: Provide \$216,000 for the City of Ionia's Dial-a-Ride. This funding will help the Dial-a-Ride replace two vehicles at a cost of \$128,000, in addition to enhancing the Technology and Interconnectivity between the Dial-a-Ride facility and Ionia City Government offices by utilizing fiber optic technology. The remainder of the funding will go towards this technology improvement. There is a 20 percent local share from the Michigan Department of Transportation.

Bill Number: H.R. 1105.

Account: Transportation—Capital Investment Grants.

Legal Name of Requesting Entity: The Rapid.

Address of Requesting Entity: 300 Ellsworth Avenue, Grand Rapids, Michigan, 49503

Description of Request: Provide \$600,000 for The Rapid's South Corridor Bus Rapid Transit (BRT) Project. Funding will be used for the preliminary design, engineering and environmental work for the development of the BRT project. There is a 20 percent state/local match.

Bill Number: H.R. 1105.

Account: Transportation—Rail Line Relocation and Improvement Program.

Legal Name of Requesting Entity: Michigan Department of Transportation.

Address of Requesting Entity: Grand Region Office, 1420 Front Avenue, Grand Rapids, Michigan, 49504.

Description of Request: Provide \$3,800,000 for the construction of a rail spur, switch, and station for relocating the Amtrak rail line and station into the Rapid Central Station, the main public transportation hub in Grand Rapids. This project has a 10 percent local/state match.

Bill Number: H.R. 1105.

Account: Economic Development Initiatives.  
Legal Name of Requesting Entity: Kent County Convention Arena Authority.

Address of Requesting Entity: 303 Monroe Avenue, NW., Grand Rapids, Michigan, 49503.

Description of Request: Provide \$142,500 for the planning, design and construction of an outdoor amphitheater and support facilities at Millennium Park.

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TRIBUTE TO "BLACK CROSSROADS: THE AFRICAN DIASPORA IN MIAMI"

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**HON. KENDRICK B. MEEK**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. MEEK of Florida. Madam Speaker, today I rise to recognize and commemorate the grand opening of the historic exhibition, Black Crossroads: The African Diaspora in Miami. The exhibit, which will be on display at the Historical Museum of Southern Florida from March 5, 2009 to January 24, 2010, depicts the diverse groups of the African Diaspora who have come to settle, work and struggle for freedom in Miami since its incorporation in 1896 to the present day.

Celebrating the diversity and richness, Black Crossroads: The African Diaspora in Miami explores the enduring presence and impact of African-Americans, Africans, black Caribbeans, and black Hispanics in Miami. The many significant political, economic and cultural contributions are shown through historic photographs, oral histories, memorabilia, film/video, and artifacts. These contributions will be related to black pioneers, families, laborers, communities, and organizations spanning over 100 years of history of black migrations to Miami.

Black Crossroads: The African Diaspora in Miami documents an important aspect of Miami's cultural history, and bring this vital information together in one place and at one time for the people of South Florida. I applaud the Historical Museum of Southern Florida for displaying this exhibit for all to see.

I also commend Dr. Joanne Hyppolite, the Chief Curator at the Historical Museum of Southern Florida, for her achievements and successes with the Black Crossroads: The African Diaspora in Miami thus far. Dr. Hyppolite has strived to show a clear reflection of what Miami has always been: a meeting point for intersections of many members of the African Diaspora since as far back as the 1800s. The exhibit also shows Miami's importance as a popular southern migration site for blacks from the Upper South, Northern Florida and the Caribbean.

I am pleased to join all those in attendance at the opening of the exhibition in wishing the Historical Museum of Southern Florida and Dr.

Hyppolite continued success in preserving and promoting an awareness of the diverse groups of the African Diaspora in Miami. Educating the public with a broader perspective of the traditions and struggles many have faced in their efforts to be treated as equal citizens will assure that generations to come will have access to objects and photographs that will enable them to contextualize life in Miami.

REMEMBERING THE LIFE OF  
GILBERTO "JOE CUBA" CALDERON

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. RANGEL. Madam Speaker, I rise with great sadness as I pay tribute to my dear friend Gilberto Calderon who recently passed away. As I speak with profound sorrow, I ascend to celebrate a life well lived and to remember with fondness the accomplishments of a remarkable man who, over his many years in music, etched his name in history as Joe Cuba, "Father of Latin Boogaloo."

The death of Joe Cuba on February 15, 2009, brought immense sorrow and loss to his family and friends, and to the countless fans and individuals associated with Latin Rhythms and Salsa in the music world. The salsa band leader was famed for weaving a fluid and bilingual mix of musical influences dubbed "The Boogaloo."

Born Gilberto Calderon in 1931 in New York to a family from Puerto Rico, the band leader and conga player helped change the sound of salsa in the 1960s. Until then, most popular salsa had been played by orchestras. But Cuba led a six-member band with three singers who also played percussion and danced a routine.

He had a dynamic group with a signature vibraphone-fronted sound that caused a craze because it was different. Albums such as 1966's *Bang! Bang! Push, Push, Push* incorporated elements of salsa, Latin jazz and R&B and featured lyrics in both English and Spanish.

Joe Cuba's music career started with La Alfarona X in 1950. In 1955 the Joe Cuba Sextet came into being and his vibraharp sound caught on. In 1962, when the group recorded "To Be with You" for Seeco Records, the band began to soar to popularity because of Nick Jimenez's arrangements and the vocals of Cheo Feliciano and Jimmy Sabater.

When the boogaloo era arrived, the majority of the popular New York bands were put out of work. The Cuba sound changed with its recordings of "El Pito" and "Bang Bang." He not only sold millions but enabled The Cuba Sextet to enjoy the No. 1 spot in the Latin music world along with the Eddie Palmieri Orchestra for years to come.

The musician, a friend and contemporary of the late salsa giant Tito Puente, was an extraordinary man who lived a life of achievement which advanced a music that was at the forefront of the Nuyorican movement. Through these melodies brought by America's last citizens, the children of Puerto Rican emigrants, evolved new culture, arts, and politics.

Joe Cuba will be long remembered for his extraordinary commitment, energy, wisdom, discipline, principle, and clear purpose which won the admiration of all who were privileged to come to know and work with him during his distinguished career in and around music. I consider myself fortunate to have had the opportunity to observe and experience his example as a personal inspiration.

Madam Speaker, rather than mourn his passing, I hope that my colleagues will join me in celebrating the life of Joe Cuba by remembering that he exemplified greatness in every way.

RECOGNITION OF CALIFORNIA'S  
32ND CONGRESSIONAL DISTRICT

**HON. HILDA L. SOLIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Ms. SOLIS. Madam Speaker, I rise today to recognize California's 32nd Congressional District, which I have had the privilege to have represented for the last 8 years in Congress and which I am proud to call home.

I am proud that my six siblings and I were raised in La Puente. Like many, my parents sacrificed throughout our childhood so my siblings and I could live up to our potential to achieve whatever our talents would allow. Like other families throughout the San Gabriel Valley, my parents instilled in my siblings and me the value of hard work, public service and commitment to family. For most of my adult life I have continued to live in the San Gabriel Valley, calling El Monte home.

California's 32nd Congressional District is a culturally diverse district where residents live and work together as a community to ensure everyone has the opportunity to achieve success and dreams for their families. The communities in the 32nd Congressional District include: the cities of Azusa, Baldwin Park, Covina, Duarte, El Monte, Irwindale, Rosemead, South El Monte, West Covina, and portions of Monterey Park and East Los Angeles.

During my time in Congress I was proud to have been the first Latina on the House Committee on Energy and Commerce, where I served as Vice Chair of the Environment and Hazardous Materials Subcommittee and as Ranking Member during my tenure, and was a member of its Health and Telecommunications and the Internet Subcommittees. I also had the privilege to serve on the House Natural Resources Committee, the House Select Committee on Energy Independence and Global Warming, and the House Education and Labor Committee. In addition, I held several leadership positions, including being the first Latina to chair the Congressional Caucus for Women's Issues. I also chaired the Congressional Hispanic Caucus Task Force on Health and the Environment where I spearheaded annual summits across the country on racial and ethnic health disparities.

Throughout my career in public service I worked hard to improve the lives of families by focusing on expanding access to affordable health care, protecting the environment, and job creation. In Congress I have won legisla-

tive victories to provide workforce training for green collar jobs; authorized a Federal study on ways to improve recreational and environmental opportunities for the San Gabriel River Watershed; removed barriers to U.S. citizenship for non-U.S. citizens serving in the U.S. military and reserves; banned pesticide testing on pregnant women and children; helped ensure health care access for Latinos suffering from HIV/AIDS; and promote domestic violence awareness, particularly in communities of color.

I want to thank the residents of California's 32nd Congressional District for electing me to represent them in Congress. I have served during some of the most trying times in California's history, and have worked to help build a better future for our State and country. It has been a privilege to serve and represent the San Gabriel Valley and East Los Angeles in the U.S. House of Representatives for the past 8 years.

I want to take this opportunity to thank my family, especially my parents, Raul and Juana Solis, my husband, and my sisters and brothers for all of their support over the years. They have always believed in me, and have been my source of strength and teachers of the commitment to justice, equality and public service. To my extended family, those I have worked alongside with both in California, thank you for your commitment to public service and justice, and your loyalty.

I also want to thank you, Madam Speaker, all of my colleagues in the House, and in particular California's Congressional delegation. I have enjoyed working with you all during my time in Congress, and I am looking forward to continuing to work with you to build a better country. Thank you and God Bless.

AMERICAN RECOVERY AND  
REINVESTMENT ACT OF 2009

SPEECH OF

**HON. MARSHA BLACKBURN**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 13, 2009*

Mrs. BLACKBURN. Mr. Speaker, delaying the DTV transition will do nothing more than increase spending and will jeopardize our public safety infrastructure. It will require that we spend another \$650 million, and it won't move a single person off the wait list for converter boxes.

In fact, the fund for converter box coupons is not depleted. Only half of the \$1.5 billion in the program has been spent. With a simple legislative change, we could immediately resume sending coupons without delaying the transition process.

Worse still, delaying the transition will jeopardize the spectrum needed by public safety officials for interoperable communication systems—the same vital spectrum requested 5 years before 9/11 that has still not been made available 14 years later.

Let's take immediate steps to eliminate the current back-log of digital converter-box requests to ensure a successful DTV transition on February 17th, and finally pave the way for 21st century communications systems public safety professionals desperately need.

## TRIBUTE TO MR. IRA C. CLARK

**HON. KENDRICK B. MEEK**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. MEEK of Florida. Madam Speaker, I rise to pay tribute to the late Mr. Ira C. Clark, a beloved community leader, public servant and champion of health care in my district, who recently passed away after a long and arduous battle with Alzheimer's disease.

Mr. Clark, a native of New Jersey raised by his mother a teacher and his father a taxi cab driver, served as the president and CEO of Public Health/Jackson Memorial Hospital for 15 years. As Jackson Memorial Hospital's first black president and as a result of his extraordinary accomplishments, he became one of the most powerful minority executives in South Florida.

Having dedicated his tenure at Jackson Memorial Hospital to the development of innovative healthcare programs, Mr. Clark constantly strove to provide accessibility to the highest quality medical care for the disenfranchised and destitute families of South Florida.

Mr. Clark's efforts led to the introduction of The Jackson Health System, which provides a corporate identity for the official framework governing a system now composed of 12 primary care centers, two medical long-term facilities, four school based clinics, a maternity hospital, and a community hospital all dedicated to providing exceptional standards of medical care. Moreover, Mr. Clark spearheaded the creation of the Ryder Trauma Center, as well as the Taylor Breast Health Center and the Diagnostic Treatment Center.

Among Mr. Clark's remarkable achievements, his greatest was securing a half-penny sales tax approved by Miami-Dade County residents to raise funds for Jackson Memorial Hospital. In his 1991 Miami Herald op-ed piece, Mr. Clark stated, "Jackson Memorial Hospital is starving. It desperately needs resources in its battle against children's diseases, trauma, AIDS, and the health problems of Dade County's neediest people. Jackson needs a dependable, non political source of funding. The half-penny sales tax is a step in the right direction." Mr. Clark's dedication to the betterment of Florida's Medicaid system and quality services to both rich and poor, AIDS patients and trauma victims remained strong throughout the tenure of his professional career.

Following his retirement, Mr. Clark offered a self-assessment to the Miami Times: "There's no question that Jackson Memorial Hospital today has come a long way under my leadership. I arrived in 1987 focused on issues related to funding and overcrowding. I sought out to secure a steady source funding to fix the hospital's financial problems and decompress the main hospital. I brought with me an unquestionable passion and commitment to single high standard of care that has remained the trademark of my leadership."

Madam Speaker, I ask you and all the members of this esteemed legislative body to join me in recognizing the extraordinary life and accomplishments of Mr. Ira C. Clark. I commend him for his service to the South Florida community and the healthcare system, and I appreciate this opportunity to pay tribute to him before the United States House of Representatives.

## EARMARK DECLARATION

**HON. DANIEL E. LUNGREN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. DANIEL E. LUNGREN of California. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 1105, The FY 09 Omnibus Appropriation Act:

1. DANIEL E. LUNGREN, H.R. 1105, Agriculture, Food and Drug Administration (FDA) Western Center for Food Safety: The FDA Western Center for Food Safety is a proposed cooperative partnership between FDA, the Western Institute for Food Safety and Security (WIFSS), and the University of California at Davis that will enhance FDA's critical food safety and food defense mission by building collaborative links between FDA scientists and WIFSS/UC Davis' established programs in food safety research, higher education, food defense, and on-farm training of safe food production practices. Funding the FDA Western Center for Food Safety at UC Davis is an excellent opportunity to strengthen all aspects of food safety and defense for United States consumers.

Grantee Legal Name: University of California at Davis.

Grantee Address: One Shields Avenue, Davis, CA 95616.

Local Contact Name/Title: Marjorie M. Dickenson, Assistant Vice Chancellor.

Federal Nexus of Project: Currently, the FDA Center for Food Safety and Applied Nutrition has three well-established Centers of Excellence addressing other components of food safety: the Joint Institute for Food Safety and Applied Nutrition ([www.jifsan.umd.edu](http://www.jifsan.umd.edu)), at the University of Maryland; the National Center for Food Safety and Technology ([www.foodsafety.iit.edu/food\\_safety.htm](http://www.foodsafety.iit.edu/food_safety.htm)) near Chicago; and the National Center for Natural Products Research, at the University of Mississippi (<http://www.olemiss.edu/idepts/ncnpr>). Our proposed FDA Western Center for Food Safety will complement these affiliated organizations by providing FDA with strong technical and scientific support for pre- and post-harvest food safety, microbial and chemical detection and food defense research, technology transfer to the agricultural sector, and on-farm training and outreach to plant and animal agricultural producers that comprise our expansive food production systems of California and the Western United States.

(\$1,399,000).

2. DANIEL E. LUNGREN, H.R. 1105, Commerce, Folsom Emergency Operations Center: This project will expand the crucial capabilities of the Folsom EOC to function for both the City of Folsom and as the Alternative County Site. Best practices highlight the importance of having redundant emergency management capacity to ensure a balanced strategy for handling emergencies.

Grantee Legal Name: City of Folsom, CA.

Grantee Address: 50 Natoma Street, Folsom, CA 95630.

Federal Nexus of Project: Homeland security is a stated top priority for the Administration and Congress. The Folsom EOC is a vital local, regional, and national link in our country's homeland security strategy and efforts.

Folsom is uniquely situated in Northern California and the western United States in terms of needs and capabilities to provide top level EOC facilities. The Folsom Lake Dam is the primary flood control facility for the Sacramento region as well as a primary electricity producer. The City of Folsom is uniquely situated as a gatekeeper to the security of the state capital in Sacramento, the greater western United States for management of the two major power grid control centers (ISO and WAPA) and the home of one of Intel's major facilities, employing over 6500 citizens. The City of Folsom is the first responder to the Dam, WAPA, ISO and important regional and national employers.

(\$500,000).

3. DANIEL E. LUNGREN, H.R. 1105, Energy & Water, New Bridge Below Folsom Dam—Additional Authorization: This additional authorization will permit funding that would be used to cover engineering, design, and construction of the new bridge below Folsom Dam as authorized in the Fiscal Year 2004 Energy & Water Appropriations Bill. Due to changes in the engineering on the part of U.S. Army Corps of Engineers, this additional authorization would be commensurate with the funding necessary for project completion.

Language: "The bill includes language increasing the cost ceiling for the Folsom, California Bridge."

Grantee Legal Name: City of Folsom, CA.

Grantee Address: 50 Natoma Street; Folsom, CA 95630.

Federal Nexus of Project: United States Army Corps of Engineers.

4. DANIEL E. LUNGREN, H.R. 1105, Energy & Water, New Bridge Below Folsom Dam. The funding would be used to cover engineering, design, and construction of the new bridge below Folsom Dam as authorized in the Fiscal Year 2004 Energy & Water Appropriations Bill. Due to changes in the engineering on the part of U.S. Army Corps of Engineers, additional authorization commensurate with this funding request is necessary.

Grantee Legal Name: City of Folsom, CA.

Grantee Address: 50 Natoma Street; Folsom, CA 95630.

Federal Nexus of Project: Army Corps of Engineers.

(\$1,000,000).

5. DANIEL E. LUNGREN, H.R. 1105, Energy & Water, Folsom Dam Outlet Modifications: The funding would be used to develop and evaluate feasible alternatives to the Corps outlet modifications design. The partners have selected an integrated design which would include a gated auxiliary spillway in place of the river outlet gate enlargement.

Grantee Legal Name: City of Folsom, CA.

Grantee Address: 50 Natoma Street; Folsom, CA 95630.

Federal Nexus of Project: Army Corps of Engineers.

(\$9,000,000).

6. DANIEL E. LUNGREN, H.R. 1105, Energy & Water, Folsom Dam Raise (American River Plan): The funding would be used to continue coordinated design of the Folsom Dam Raise Project as part of the integrated Joint Federal Project.

Grantee Legal Name: City of Folsom, CA.

Grantee Address: 50 Natoma Street; Folsom, CA 95630.

Federal Nexus of Project: Army Corps of Engineers.

(\$1,000,000).

7. DANIEL E. LUNGREN, H.R. 1105, Energy & Water, Calaveras—Cosgrove Creek Flood Control Project. This project will target one of the most flood-prone areas of Calaveras County, and is needed to protect lives and property in the communities of Valley Springs, La Contenta, and Rancho Calaveras.

Grantee Legal Name: County of Calaveras.  
Grantee Address: 891 Mountain Ranch Road, San Andreas, CA 95249.

Federal Nexus of Project: Army Corps of Engineers. Cosgrove Creek is a tributary to the Calaveras River, a navigable water. Calaveras County is designated by FEMA as eligible for Federal assistance for severe storms and flooding.

Priority U.S. Army Corps of Engineers Project Under Section 205: Emergency Streambank and Shoreline Protection.

8. DANIEL E. LUNGREN, H.R. 1105, Energy & Water, American River Common Features: The funding would be used for design and construction of the remaining improvements identified in WRDA 96 and WRDA 99 which includes levee widening near Jacobs Lane, levee raising between Howe Avenue and Watt Avenue, levee strengthening near the confluence of the Natomas East Main Drainage Canal/American River, addressing seepage around utilities, and for continued work on the American River Common Features General Re-evaluation Report.

Grantee Legal Name: Sacramento Area Flood Control Agency.

Grantee Address: 1007 7th St., 7th Floor, Sacramento, CA 95814.

Local Contact Name/Title/Phone: Stein Buer, Executive Director, 916-874-7606.

Federal Nexus of Project: Authorization—Section 101(a) WRDA 1996 (P.L. 104-303), as modified by Section 366 of WRDA 1999 (P.L. 106-53), as further modified by Section 129 of P.L. 108-137, the Energy and Water Development Appropriations Bill of 2004.

(\$13,000,000).

9. DANIEL E. LUNGREN, H.R. 1105, Energy & Water, South Sacramento Streams Group: The funding would be used to extend the project upstream along Elder Creek, Unionhouse Creek and construct levee improvements to 3300-feet of railroad embankment protecting several hundred homes. In addition, design efforts will continue so that construction can occur in 2010 further reducing flood risk to residences along the various streams.

Grantee Legal Name: Sacramento Area Flood Control Agency.

Grantee Address: 1007 7th St., 7th Floor, Sacramento, CA 95814.

Local Contact Name/Title/Phone: Stein Buer, Executive Director, 916-874-7606.

Federal Nexus of Project: Authorization—Section 101(a)(8) WRDA 1999, P.L. 106-53. (\$12,000,000).

10. DANIEL E. LUNGREN, H.R. 1105, Energy & Water, Sacramento River Bank Protection Project: The funding would be used to allow 5,000-7,000 feet of bank to be protected along the Sacramento River reducing flood risk to the area. Unless continued corrective measures are taken, levee failures may occur with resultant catastrophic damage and possible loss of many lives.

Grantee Legal Name: Sacramento Area Flood Control Agency.

Grantee Address: 1007 7th St., 7th Floor, Sacramento, CA 95814.

Local Contact Name/Title/Phone: Stein Buer, Executive Director, 916-874-7606.

Federal Nexus of Project: Authorization—Flood Control Act of 1960 (P.L. 86-645), The River Basin Monetary Authorization Act of 1974 (P.L. 93-251), and Joint Resolution of Congress in 1983 (P.L. 97-377).

(\$22,967,000).

11. DANIEL E. LUNGREN, H.R. 1105, Interior & Environment, City of Galt Wastewater Treatment Plant (WWTP) Upgrade: The City of Galt is required to upgrade treatment levels (no expansion of capacity) for five constituents and to meet new limits for an additional 14 constituents to comply with the National Pollutant Discharge Elimination System (NPDES) permit for the WWTP. The existing WWTP was not designed to meet most of the new standards, and therefore must be upgraded. The City must comply with the new requirements in the NPDES permit by May 2010 or face significant monthly fines.

Grantee Legal Name: City of Galt.

Grantee Address: 495 Industrial Drive Galt, CA 95632.

Local Contact Name/Title/Phone: Gregg L. Halladay, P.E./Director of Public Works / (209) 366-7260.

Federal Nexus of Project: The City of Galt is being forced to upgrade their existing wastewater treatment facility as a result of increased Federal water quality mandates. Therefore, the City is requesting Federal funds to help offset the high costs of design and construction of the improvements required to upgrade the existing wastewater treatment facility to comply with these Federal water quality mandates.

(\$275,000).

12. DANIEL E. LUNGREN, H.R. 1105, Transportation & HUD, Amador County State Route 88 Pine Grove Corridor Improvement Project: The purpose of this project is to construct highway widening or a bypass through or around the community of Pine Grove. State Route 88 is the major corridor providing access through Amador County to the Eldorado National Forest, Mokelumne Wilderness areas and the Toiyabe National Forest.

Grantee Legal Name: Amador County Transportation Commission.

Grantee Address: 11400 American Legion Drive, Jackson, CA 95642.

Local Contact Name/Title/Phone: Charles Field, Executive Director (209) 267-2282.

Federal Nexus of Project: Funding under the Public Lands Highways Program is available "for transportation planning, research, engineering, and construction of the highways . . . within, adjacent to, or provides access to" Federal lands or facilities." State Route 88 is the major corridor providing access through Amador County to the Eldorado National Forest, Mokelumne Wilderness areas and the Toiyabe National Forest. In addition, an increasing amount of traffic is accessing Kirkwood Ski Resort, which operates in conjunction with the USFS.

(\$180,500).

13. DANIEL E. LUNGREN, H.R. 1105, Transportation & HUD, Citrus Heights—Infrastructure Reinvestment for Federal ADA Compliance: Disability access is limited in several identified locations throughout the City, and the City has been and continues to be the subject of lawsuits from advocates in the disability rights community. This funding will cover the cost of new ADA-compliant infrastructure.

Grantee Legal Name: City of Citrus Heights.  
Grantee Address: 6237 Fountain Square Drive, Citrus Heights, CA 95621.

Federal Nexus of Project: Federal ADA Compliance. (\$142,500).

14. DANIEL E. LUNGREN, H.R. 1105, Transportation & HUD, Rancho Cordova—International Drive Extension/Folsom South Canal Bridge: The International Drive Extension and Folsom South Canal Bridge project will construct a new six-lane extension of International Drive from Kilgore Road to Sunrise Boulevard. The waterway creates a barrier that cuts the City in half from north to south.

Grantee Legal Name: City of Rancho Cordova.

Grantee Address: 2729 Prospect Park Drive; Rancho Cordova, CA 95670.

Federal Nexus of Project: There is a strong federal nexus for this appropriations request. A major obstacle for the road extension is the U.S. Bureau of Reclamation's Folsom South Canal. The waterway creates a barrier that cuts the City in half from north to south. Federal funds are requested as mitigation to this federally-owned obstruction that restricts access to job centers, education, shopping, and public transit. This project will allow all members of the community—regardless of what portion of Rancho Cordova they live in—the opportunity to cross the Folsom South Canal barrier at International Drive and gain access to opportunities on both sides of the canal.

(\$237,500).<sup>1</sup>

#### EARMARK DECLARATION

### HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 24, 2009

Mr. BRADY of Texas. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding earmarks I received as part of H.R. 1105—Omnibus Appropriations Act, 2009.

Requesting Member: Congressman KEVIN BRADY, Texas 8th Congressional District  
Bill Number: H.R. 1105—Omnibus Appropriations Act, 2009

Project: Sam Rayburn Lake Twin Dikes Operations & Maintenance

Account: U.S. Corps of Engineers, Operations and Maintenance

Requesting Entity: U.S. Corps of Engineers, Ft. Worth District

Address of Requesting Entity: 819 Taylor Street, Fort Worth, TX 76102

This is the second year I've requested funding to repair the Twin Dikes Park marine launching complex since its collapse due to Hurricane Rita, erosion, and excessive wave action. Unfortunately, the Corps has a backlog of maintenance on some of the most widely used recreational facilities at Lake Sam Rayburn. In addition to this project, I continue to support the U.S. Corps of Engineers annual request for funding to operate and maintain the lakes, and other water resources of East and Southeast Texas.

The \$6,138,000 included in this bill for this project will be allocated to perform annual operations and maintenance of the Sam Rayburn

Reservoir (\$5,775,000) and to begin rehabilitation of the marine launching complex at Twin Dikes Park (\$363,000).

Requesting Member: Congressman KEVIN BRADY, Texas 8th Congressional District

Bill Number: H.R. 1105—Omnibus Appropriations Act, 2009

Project: Pulmonary Hypertension Awareness Program

Account: Department of Health and Human Services, Center for Disease Control and Prevention

Requesting Entity: Pulmonary Hypertension Association

Address of Requesting Entity: 801 Roeder Rd., Suite 400, Silver Spring, MD 20910

I have supported strengthening Pulmonary Hypertension education for over ten years; and for this reason and for the second year in a row, I have requested funding to strengthen and continue a successful partnership between the non-profit Hypertension Association and the Centers for Disease Control. PH is a serious and often fatal condition where the blood pressure in the lungs rises to dangerously high levels. In PH patients the walls of the arteries that take blood from the right side of the heart to the lungs thicken and constrict. As a result, the right side of the heart has to pump harder to move blood into the lungs, causing it to enlarge and ultimately fail.

This request would allow the partners to continue to develop a pulmonary hypertension awareness program to better educate the medical community and the public about the disease, and lead to earlier diagnosis and longer life spans.

The \$238,000 included in this bill for this project will be allocated to continue two components in the fight against pulmonary hypertension: the PHA Online University, a curriculum-based website for medical professionals, and a significant expansion of PHAware, a grassroots media campaign. Together these activities will enhance general public and medical professional awareness of pulmonary hypertension and lead to earlier diagnosis and appropriate treatment of individuals who have the disease.

Requesting Member: Congressman KEVIN BRADY, Texas 8th Congressional District

Bill Number: H.R. 1105—Omnibus Appropriations Act, 2009

Project: SHSU Regional Crime Lab

Account: Office of Justice Programs, Byrne Discretionary Grants

Requesting Entity: Sam Houston State University

Address of Requesting Entity: 1803 Avenue I, Huntsville, TX 77341

Established last year with my support, fiscal year 2009 funding for the Regional Crime Lab at Sam Houston State University will allow it to become operational. Law enforcement agencies in rural communities experience long waits and backlogs when requesting services from major cities like Houston. This request allows Sam Houston State University—one of the nation's foremost criminal justice universities—to use its expertise in forensic science to begin operations of the Rural Crime Laboratory started with funding I secured last year. This lab will provide services to local law enforcement such as identification of controlled substances, toxicology screening and finger print matching. The lab will be able to service communities in a 75-mile wide area.

The \$800,000 included in this bill for this project will be allocated to staff the SHSU Re-

gional Crime Lab and make it operational for serving regional law enforcement agencies. Specific budget items include: salaries and benefits for laboratory staff (\$547,800); lab supplies (\$11,558); subcontracts for staff training (\$27,000) and indirect cost amounting to \$213,642.

Requesting Member: Congressman KEVIN BRADY, Texas 8th Congressional District

Bill Number: H.R. 1105—Omnibus Appropriations Act, 2009

Project: I-69 Improvements

Account: Surface Transportation Priorities, Interstate 69, Texas

Requesting Entity: I-69 Texas Alliance

Address of Requesting Entity: 1200 Smith, Suite 700, Houston, TX 77002

This requested funding will allow for additional required environmental studies needed to upgrade several US highways in the region. This request—is not part of the now dead Trans Texas Corridor—provides funding for the continuation of the long-planned project involving segments of US 59, 77 and 281. Since 1991, efforts have been made to improve these routes to Interstate standards to meet the higher demand of increased traffic. These highway segments have been identified by Congress as a high priority; by upgrading the existing highways to Interstate standards we will increase motorist safety and regional mobility in the increasingly busy Houston and East Texas region.

The \$617,500 included in this bill will go to the Texas Department of Transportation to continue planning, design, and development of segments of US Highway 59 to Interstate standards.

Requesting Member: Congressman KEVIN BRADY, Texas 8th Congressional District

Bill Number: H.R. 1105—Omnibus Appropriations Act, 2009

Project: Big Thicket Land Acquisition

Account: National Park Service, Land Acquisition

Requesting Entity: The Conservation Fund, Texas Office

Address of Requesting Entity: 101 West 6th Street, Suite 601, Austin, TX 78701

The Big Thicket National Preserve is one of America's ecological treasures. It is an unusually shaped preserve whose boundaries include land once owned by major timber companies. When funded in full, this represents the final year in a seven year land acquisition program. This request enables the National Park Service to acquire critical land within the congressionally authorized boundary of the Big Thicket National Preserve to diversify the economic potential of southeast Texas through increased tourism opportunities. This project works only with voluntary, "willing-seller" landowners.

The \$1,000,000 included in this bill for this project will allow the National Park Service to buy approximately 500 acres of land on eight tracts currently held by the Conservation Fund acquired from willing sellers or by voluntary donation.

THE DISTRICT OF COLUMBIA  
QUARTER FEATURING THE LIKENESS OF DUKE ELLINGTON

### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA  
IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Ms. NORTON. Madam Speaker, I rise to ask the House to join me in commemorating yet another honor for Edward Kennedy Duke Ellington, born 1899, in the District of Columbia, who has left us musical gifts that are so timeless they have proved perpetually modern. The new honor for Duke Ellington that we celebrate is his likeness at his piano that appears on the new District of Columbia circulating quarter formally introduced today and placed in a map with other coins that represent our union. Duke Ellington is only the second African American to appear on a circulating coin.

For the residents of the District of Columbia, this honor for Duke Ellington is special indeed. His values, his study of music, and his musical genius were shaped from the beginning of his life in the Shaw community and in the D.C. public schools until, as a grown man, he pursued his star-studded musical career and became one of the world's most celebrated band leaders and composers. D.C. residents themselves selected Duke Ellington, and many witnessed him help establish the entertainment corridor on U Street as a major venue for African-American entertainers when the District of Columbia was a segregated city that did not permit Black people to attend or to perform elsewhere in the nation's capital. Ellington was my personal favorite for the D.C. quarter not only because he was a native son, but also because for many years, we in the city have been trying to correct the notion that D.C. is only a "government town," making it clear that we have been a hometown since 1801. The District has become a city with some of the best theater, entertainment and sports in the country, and now features an annual week-long Duke Ellington Jazz, Festival, fast becoming one of the best known in the country. The truth is that Ellington is as representative of his home town as George Washington is of official Washington. The Duke sends the message that hometown, homegrown residents are making and have always made important contributions to our country and to the world.

To celebrate the Duke's coin, we kicked off Duke Ellington Week today with a celebration of D.C.'s new quarter at the Smithsonian National Museum of American History, where the African American Museum is temporarily housed and has mounted the Scurlock Exhibition of photographs of Black Washingtonians, including Ellington. The celebration featured a presentation of the quarter by U.S. Mint Director Edmund Moy, and the placement in the coin map.

Ellington week activities will continue Wednesday, Feb. 25, at THEARC, with a "Celebration of Black History Month, the Arts, and the Duke Ellington Commemorative Quarter," featuring Edward and April Ellington, Duke Ellington's son and daughter, the Ellington School of the Arts School jazz band, and the Washington Ballet, and later on Wednesday, a concert, "Sophisticated Lady: An Evening with Denyce Graves," at the Kennedy Center for the Performing Arts to raise funds

for the Duke Ellington School of the Arts, the famous soprano's alma mater.

During a lifetime of recognition of his unique musical genius, Ellington received 13 Grammys over 40 years, the Pied Piper award from the American Society of Composers, Authors and Publishers in 1968, and honorary doctoral degrees from 16 institutions. He received the nation's highest honors, including the President's Gold Medal in 1966, and the Presidential Medal of Freedom in 1969, the highest honor a civilian can receive in the United States. After his death on May 24, 1974, Western High School in Washington, D.C. was renamed the Duke Ellington High School for the Performing Arts. The school is one of the most renowned in the nation for its excellence in all the arts.

Jazz, America's singular indigenous art form, owes its greatness to a handful of men and women, none more so than Duke Ellington, the Renaissance man of music—composer, musician, band leader, the full package. Today, we add a crowning honor with the city's own circulating quarter bearing the Duke's image. Now our native son, a musical genius already honored the world over for his artistic achievements, will have a lasting image on his nation's currency to remind the world that his hometown, the District of Columbia, nurtured the musical genius of Edward Kennedy Duke Ellington.

#### EARMARK DECLARATION

### HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. SHIMKUS. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 1105.

Requesting Member: JOHN M. SHIMKUS.

Bill number: H.R. 1105.

The Account: Agriculture Salaries and Expenses.

Requesting Entity: National Corn-to-Ethanol Research Center NCERC at 400 University Park Dr. in Edwardsville, IL.

Funding would go to ensure that the NCERC remains capable of validating new cellulosic technologies and to accelerate commercialization. NCERC will be able to find more uses for agricultural products in renewable fuels and lessen our reliance on foreign oil. NCERC is an established research center of excellence in this field.

The Account: Department of Justice, COPS Law Enforcement Technology.

Requesting Entity: Jasper County Sheriff Department at 106 E. Morgan St. in Newton, Illinois.

Funding to provide new radios that will allow the sheriffs office complete interoperability between first responders in Jasper County.

The Account: Department of Justice, COPS Law Enforcement Technology.

Requesting Entity: Shelby County Sheriff Department at 151 N. Morgan St. in Shelbyville, Illinois.

Funding to provide new radios that will allow the sheriffs office complete interoperability between first responders in Shelby County.

The Account: Department of Justice, COPS Law Enforcement Technology.

Requesting Entity: Jasper County Unit 1 School District at 609 S. Lafayette St. in Newton, IL.

Funding to provide a new camera security system for Jasper County schools to help secure the schools.

The Account: Department of Justice, COPS Law Enforcement Technology.

Requesting Entity: Marion County Sheriff Department at 204 N. Washington St. in Salem, Illinois.

Funding for new digital fingerprinting machine to make sheriffs booking process more efficient and allow for easier access to database.

The Account: Energy & Water, General Investigations.

Requesting Entity: Corps of Engineers St. Louis District at 1222 Spruce St. in St. Louis, Missouri.

Funding for a deficiency correction study to investigate solutions such as rehabilitation-replacement of existing relief wells and the construction of additional relief wells at the Prairie DuPont Levee.

The Account: Energy & Water, General Investigations.

Requesting Entity: Corps of Engineers St. Louis District at 1222 Spruce St. in St. Louis, Missouri.

Funding for this project, also referred to as the Navigation and Ecosystem Sustainability Program, this project will provide for the first phases of construction of new 1,200 foot lock chambers at L/Ds 20, 21, 22, 24, 25, LaGrange and Peoria; implement small-scale navigation aids; and begin ecosystem restoration projects along the Mississippi River and Illinois Waterway.

The Account: Energy & Water, Construction General.

Requesting Entity: Corps of Engineers St. Louis District at 1222 Spruce St. in St. Louis, Missouri.

Funding to continue projects which are vital to the ecological restoration of the Upper Mississippi River, including island construction, habitat creation and long-term monitoring.

The Account: Energy & Water, Construction General.

Requesting Entity: Corps of Engineers St. Louis District at 1222 Spruce St. in St. Louis, Missouri.

Funding for this project will go to develop the correct design deficiencies and assure that the Chain of Rocks levee will withstand a 500-year flood. The deficiency correction includes the installation of relief wells, construction of levee berms, a pump station, relocations, and mitigation. The levee protects a major urban area.

The Account: Energy & Water, Construction General.

Requesting Entity: Corps of Engineers St. Louis District at 1222 Spruce St. in St. Louis, Missouri.

Funding for the project in East St. Louis to provide flood protection to 200,000 residents and over \$1 billion in economic value. The flood control project is aged and requires rehabilitation to provide a thorough level of protection.

The Account: Energy & Water, Construction General.

Requesting Entity: Corps of Engineers St. Louis District at 1222 Spruce St. in St. Louis, Missouri.

Funding that can be used to initiate design work for the Maryville, Illinois, project. This

project authority covers communities in Madison and St. Clair Counties, Illinois, including East St. Louis, Belleville, Glen Carbon, Maryville, and Collinsville. The communities of the region rely heavily on combined sewer systems, some of which exceed 100 years of performance. Problems created by this compromised infrastructure impact the health, water quality, and economic development potential of the area.

The Account: Energy & Water, Construction General.

Requesting Entity: Corps of Engineers St. Louis District at 1222 Spruce St. in St. Louis, Missouri.

Funding for this project at Wood River goes to replacing 163 of 170 existing relief wells and installing 60 new relief wells as a deficiency correction under the existing project authorization. Additional reconstruction/replacement is proposed for various components of 26 closure structures, 38 gravity drains, and 7 pump stations.

The Account: Energy & Water, O&M.

Requesting Entity: Corps of Engineers St. Louis District at 1222 Spruce St. in St. Louis, Missouri.

Funding will be used to operate and maintain Carlyle Lake. This lake provides flood control, water quality control, and water supply to nearby communities; recreation; fish and wildlife conservation; and is authorized to augment navigation flows downstream on the Kaskaskia River. The lake offers 3 marinas, 18 public boat ramps, a sailboat harbor, 4 beaches, 5 campgrounds, and a visitor center; numerous outlying areas provide a variety of opportunities for outdoor enthusiasts. The Project includes a State Resort with hotel, cabins, restaurant and conference center and two State Parks, one of which offers overnight cottages, a swimming pool, and a restaurant/store. Large sub-impoundment dams, managed by the Illinois Department of Natural Resources, are located at the northern end of the lake and are flooded each fall, providing excellent hunting opportunities.

The Account: Energy & Water, O&M.

Requesting Entity: Corps of Engineers St. Louis District at 1222 Spruce St. in St. Louis, Missouri.

Funding at Lake Shelbyville to be used to provide flood control, water supply, recreation, conservation of fish and wildlife, and water quality control and augments navigation flows downstream on the Kaskaskia River. The lake extends northeastward to approximately river mile 275 through Shelby, Moultrie, Douglas, and Coles Counties. I certify that neither I nor my spouse has any financial interest in this project.

The Account: Energy & Water, O&M.

Requesting Entity: Corps of Engineers St. Louis District at 1222 Spruce St. in St. Louis, Missouri.

Funding at Rend Lake to provide flood control, water supply, recreation, conservation of fish and wildlife, and area redevelopment. The earth fill dam with an un-gated main and auxiliary spillway provides the necessary features to create Rend Lake and support the project's purposes. The earth dam is located on the Big Muddy River at mile 103.7 and two sub-impoundment dams are located on the upper arms of the lake.

The Account: Interior, Environment and Related Agencies, EPA, STAG Water and Wastewater Infrastructure.

Requesting Entity: RE Water at 320 Northwest St. West Salem, IL 62476.

Funding would be used to expand service to rural water customers in Richland County.

The Account: Labor, Health and Human Services, Education and Related Agencies, Higher Education.

Requesting Entity: Southeastern Illinois College, 3575 College Road in Harrisburg, IL 62946.

Funding to purchase materials to set up a new training program for students in mining and mining safety measures.

The Account: Labor, Health and Human Services, Education and Related Agencies, Higher Education.

Requesting Entity: Southern Illinois University at Edwardsville, University Park Drive in Edwardsville, IL 62046.

The funding would be used to purchase advanced fabrication, analytical, and processing equipment to enhance SIAM capabilities.

The Account: Transportation, Housing, and Urban Development, and Related Agencies, Federal Highway Administration.

Requesting Entity: Illinois Department of Transportation, 2300 S. Dirksen Parkway in Springfield, IL.

The funding would be used for the design, engineering, land acquisition and planning of the Godfrey Crosstown Connector project in conjunction with US67.

The Account: Transportation, Housing, and Urban Development, and Related Agencies, Federal Highway Administration.

Requesting Entity: Illinois Department of Transportation, 2300 S. Dirksen Parkway in Springfield, IL.

The funding would be used for the design, engineering, land acquisition, and planning for expansion of Rt 162 from Maryville toward Troy, IL.

The Account: Transportation, Housing, and Urban Development, and Related Agencies, Federal Highway Administration.

Requesting Entity: Illinois Department of Transportation, 2300 S. Dirksen Parkway in Springfield, IL.

The funding would be used for the resurfacing and the expansion of Mt. Erie-Golden Gate Road in Wayne County.

The Account: Transportation, Housing, and Urban Development, and Related Agencies, EDI.

Requesting Entity: Illinois Historic Preservation Agency, 1 Old State Capitol Plaza, Springfield, IL.

The funding would be used in the renovation of the Tinsley Project for upcoming Lincoln Bicentennial. The Tinsley project needs to be overhauled to be historically accurate.

The Account: Transportation, Housing, and Urban Development, and Related Agencies, EDI.

Requesting Entity: Sangamon County Regional Planning Commission at 200 S. 9th St in Springfield, Illinois.

The funding would be used to institute a re-development plan for Macarthur Blvd between 172 and S. Grand.

LEONARD ABESS, JR.

**HON. KENDRICK B. MEEK**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. MEEK of Florida. Madam Speaker, I rise today to recognize Mr. Leonard Abess, Jr. a

Miami, Florida banker who openhandedly and unselfishly took \$60 million out of his own pocket to give bonuses to former employees and the current staff on the payroll at City National Bank of Florida to thank them for their years of service.

Current chairman and CEO of City National Bank of Florida, Mr. Abess made the decision after selling a majority stake in Miami-based City National Bancshares in November 2008. He took \$60 million of the proceeds and gave it to his tellers, bookkeepers and clerks. All 399 workers on the staff received bonuses. Additionally, Mr. Abess tracked down 72 former employees so they could share in the windfall. Some longtime employees received bonuses based on years of service which amounted to tens of thousands of dollars, in some cases more than \$100,000.

In April 2008, Mr. Abess announced that Caja Madrid, the second-largest bank in Spain, was buying City National for \$1 billion. With more than \$2.75 billion in assets, City National ranked among the largest community banks in the country and was one of the few remaining independent banks in Florida.

When Abess said, "We want to be the biggest bank in Florida . . . I'm not walking away from my customers or employees,"—he kept his word. The deal would allow Mr. Abess to continue to run the bank and retain his title, as well as a 17 percent stake. Most importantly, local City National offices did not close and were not sold off.

Mr. Abess' selfless generosity proved that although we are currently in an era of economic downfalls, unethical behavior and corporate conspiracy, one can still stand strong on their own charitable, altruistic morality. Now, Mr. Abess will receive a prized bonus of his own when he will have the opportunity to watch President Barack Obama's speech to a joint session of Congress from First Lady Michelle Obama's box on February 23, 2009. Ms. Geneva Lawson, a 51 year employee at City National Bank of Florida, will also accompany Mr. Abess to see history in the making.

It is an honor to have the privilege to recognize this valued leader before the United States House of Representatives. I salute Mr. Leonard Abess, Jr. on behalf of his selfless deed and great acts of gratitude, and believe that all Americans can learn from his benevolence, commitment and passion. I wish him every happiness and success.

HONORING THE SERVICE OF KOREAN AMBASSADOR TAE-SIK LEE

**HON. ENI F. H. FALEOMAVAEGA**

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mr. FALEOMAVAEGA. Madam Speaker, I rise today to honor and bid farewell to my friend, Ambassador Tae-Sik Lee, who since 2005 has represented his country, the Republic of Korea, in Washington.

Ambassador Lee first served as a diplomat in Washington in the early 1980s and later earned a degree from the School of Advanced International Studies at Johns Hopkins University. After serving in numerous posts in Seoul and other world capitals, his return to Washington nearly four years ago was in many ways a homecoming.

While I would like to dwell on Ambassador Lee's series of distinguished positions in service to his country—Vice Minister of Foreign Affairs and Trade, Ambassador to the Court of St. James in London, Ambassador to Israel, Deputy Minister for Foreign Affairs, Director-General of the International Trade Bureau and Deputy Executive Director of Korean Peninsula Energy Development Organization—the limited time I have will not do justice to his distinguished service. However, I wish to point that during his tenure as Ambassador to the United States, the alliance of our two countries has grown stronger and deeper.

For instance, in 2007, the United States and South Korea signed a Free Trade Agreement that will result in significant, measurable benefits to businesses, workers, and consumers in both of our countries.

Last November, Korea successfully joined the Visa Waiver Program, which makes travel between Korea and the United States much easier for tourists, business leaders, family members, students, and others.

Additionally, by an act of Congress, Korea's Foreign Military Sales status was elevated to the equivalent of NATO+3. This change in status will have a positive impact both in terms of military readiness and enhanced interoperability of our two countries' armed forces.

Throughout Ambassador Lee's time in Washington, South Korea and the United States have remained steadfast in efforts to solve the North Korean nuclear problem and to ensure continued peace, stability, and prosperity in the Northeast Asia region. Ambassador Lee also skillfully managed often vexing and sensitive historical issues ranging from "Comfort Women" to the Dokdo Islands.

Also during Ambassador Lee's tenure, the Congress passed resolutions that included celebrating the U.S.-Korea alliance, welcoming President Myung-Bak Lee to Washington in April 2007 and calling for justice on the "Comfort Women" issue. All these important accomplishments underscore Ambassador Lee's thoughtful diplomacy and willingness to engage Members of Congress, no matter how challenging the issue at hand.

Ambassador Lee did not limit his work to our nation's capital. He often traveled throughout the United States and, on many occasions, spoke to groups of American veterans of the Korean War, offering the gratitude of his people and thanking them personally for their service and sacrifice.

The strong friendship between the United States and the Republic of Korea has been immeasurably enhanced by the professionalism, cordiality, intelligence and friendship of Ambassador Lee.

Madam Speaker, while Ambassador Lee goes on to new responsibilities and new experiences, I ask that my colleagues join with me to offer our thanks and congratulations as we bid the Ambassador a fond farewell. We wish him the best in all his future endeavors.

EARMARK DECLARATION

**HON. JO ANN EMERSON**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 24, 2009*

Mrs. EMERSON. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information in regards to H.R. 1105, the Consolidated Appropriations for Fiscal Year 2009.

Project Name: Route 67 Poplar Bluff Industrial Park Bypass.

Bill Number: H.R. 1105.

Account: Transportation & Community & System Preservation.

Requesting Entity: Missouri Department of Transportation.

Address of Requesting Entity: 105 West Capitol, P.O. Box 270 Jefferson City, MO 65102-0270.

Description of Request: Provide an earmark of \$665,000 to construct of a new bypass and acquire right of way access to improve the roadway safety conditions and congestion at the Poplar Bluff Industrial Park on Route 67. The State of Missouri will provide a 20% match. All federal funds received will be spent on the Poplar Bluff Industrial Bypass and will not be transferred to another project.

Project Name: Route 160 in Taney County, Missouri Safety Improvements.

Bill Number: H.R. 1105.

Account: Transportation & Community & System Preservation.

Requesting Entity: Missouri Department of Transportation.

Address of Requesting Entity: 105 West Capitol, P.O. Box 270 Jefferson City, MO 65102-0270.

Description of Request: Provide an earmark of \$665,000 for improvements to the design of Route 160 in Taney County, Missouri. The earmark will also address safety conditions along this dangerous stretch of roadway. The State of Missouri will provide 20% to match the federal contribution. All federal funds received will be spent on safety and roadway improvements on Route 160 in Taney County, Missouri and will not be transferred to another project.

Project Name: Chester Bridge in Perry County, Missouri Bridge Repair.

Bill Number: H.R. 1105.

Account: Transportation & Community & System Preservation.

Requesting Entity: Missouri Department of Transportation.

Address of Requesting Entity: 105 West Capitol, P.O. Box 270 Jefferson City, MO 65102-0270.

Description of Request: Provide an earmark of \$475,000 to rehabilitate the Chester Bridge which traverses the Mississippi River from Perry County, Missouri to Randolph County, Illinois. The bridge is vital to the region's transportation needs. The State of Missouri will provide 20% to match the federal contribution. All federal funds received will be spent on rehabilitation of the Chester Bridge and will not be transferred to another project.

Project Name: Farmington Airport Parallel Taxi-way.

Bill Number: H.R. 1105.

Account: Airport Improvement Program.

Requesting Entity: Missouri Department of Transportation.

Address of Requesting Entity: 105 West Capitol, P.O. Box 270 Jefferson City, MO 65102-0270.

Description of Request: Provide an earmark of \$855,000 for the construction of a taxi-way parallel to the main runway. The funds would also be used towards the reconstruction of the

airport terminal to address the needs of general and corporate aviation. The State of Missouri will provide 10% to match the federal contribution. All federal funds received will be spent on the construction of a taxi-way and rebuilding a terminal. These funds will not be transferred to another project.

Project Name: Route 63 Phelps, Maries, Osage Counties.

Bill Number: H.R. 1105.

Account: Transportation, Community, and System Preservation.

Requesting Entity: Missouri Department of Transportation.

Address of Requesting Entity: 105 West Capitol, P.O. Box 270 Jefferson City, MO 65102-0270.

Description of Request: Provide an earmark of \$332,500 for right of way improvements and an environmental study to the narrow portion of Route 63 in Phelps, Maries, and Osage Counties. This project with improve the overall safety of the roadway. The State of Missouri will provide 20% to match the federal contribution. All federal funds received will be spent on right of way improvements and an environmental study. None of these funds will be transferred to another project.

Project Name: BJC Mental Health for Youth Offenders.

Bill Number: H.R. 1105.

Account: OJP—Juvenile Justice.

Requesting Entity: BJC Behavioral Health.

Address of Requesting Entity: 1085 Maple Street, Farmington, Missouri 63450.

Description of Request: Provide an earmark of \$900,000 for a program that will target offenders under the age of 18 that are in need of mental health services. The program will serve the Missouri counties of St. Francois and Washington. The \$900,000 will be used for operations cost to start up the program, including nurses, social workers, psychiatrists, and other mental health professionals. BJC will provide support to state and local governments, therefore no match is required.

Project Name: Mineral Area Drug Task Force.

Bill Number: H.R. 1105.

Account: COPS-Meth.

Requesting Entity: City of Leadington, Missouri.

Address of Requesting Entity: 12 Weir Street, Leadington, Missouri 63601.

Description of Request: Provide an earmark of \$205,000 to assist with funding Mineral Area Drug Task Force's enforcement efforts in locating, dismantling, and reducing the number of methamphetamine laboratories within the area of their operation. Approximately \$93,800 is for the purchase of equipment to assist officers in their investigations, \$60,600 is for overtime for officers assigned to methamphetamine investigations, \$36,100 is for office and field supplies to assist officers in the preparation of reports and to provide supplies to facilitate the processing of clandestine labs, and \$14,500 is for travel and training to equip officers with the knowledge to efficiently perform their duties.

Project Name: Visual Intelligence Tool for Southern Missouri.

Bill Number: H.R. 1105.

Account: COPS-Law Enforcement Technology.

Requesting Entity: Ozark Foothills Regional Planning Council.

Address of Requesting Entity: 3019 Fair Street, Poplar Bluff, Missouri 63901.

Description of Request: Provide an earmark for the Ozark Foothills Regional Planning Council for \$1,030,000 project for the following counties of the 8th Congressional District to acquire and greatly benefit from availability of a Law Enforcement Visual Tool: Ripley, Wayne, Carter, Wright, and Texas. Federal, state, and local agencies will have a common tool to jointly manage emergencies. The project enhances public safety and officer safety by placing sophisticated geospatial intelligence information in the hands of emergency responders. The funding would be used as follows: \$50,000 for project administration, \$800,875 for image libraries, and \$180,000 for installation, training and customer support.

Project Name: South Central Drug Task Force.

Bill Number: H.R. 1105.

Account: COPS-Meth.

Requesting Entity: Howell County, Missouri.

Address of Requesting Entity: 1106 Missouri Avenue, West Plains, Missouri 65775.

Description of Request: Provide an earmark of \$250,000 for the South Central Drug Task Force to enhance drug enforcement in project area. South Central Drug Task Force is a multi-jurisdictional drug enforcement task force comprised of federal, state, and local law enforcement officers. Funds will be spend as follows: approximately \$50,000 in overtime funding for existing narcotics officers; \$122,500 for technical surveillance and reporting equipment; \$65,000 for civilian personnel/Intel analyst; and \$12,500 for supplies.

Project Name: City of East Prairie, Missouri Stormwater and Sewer Infrastructure.

Bill Number: H.R. 1105.

Account: STAG Water and Wastewater Infrastructure Project.

Requesting Entity: City of East Prairie, Missouri.

Address of Requesting Entity: 219 N. Washington St., East Prairie, Missouri, 63845-1141.

Description of Request: Provide an earmark in the amount of \$200,000 to rebuild East Prairie, Missouri's wastewater and storm water infrastructure. The existing 83-year-old water infrastructure is crumbling under the streets due to sinkholes which have plagued the community. The sinkholes are destroying box culverts, which is posing a threat to streets and houses in East Prairie. The money procured will pay for engineering design and engineering inspection for new storm water sewers. A minimum of 45% of the total project cost will come directly from the City of East Prairie, Missouri.

Project Name: City of Hartville Water and Wastewater repairs.

Bill Number: H.R. 1105.

Account: STAG Water and Wastewater Infrastructure Project.

Requesting Entity: City of Hartville, Missouri.

Address of Requesting Entity: P.O. Box 37, Hartville, Missouri, 65667.

Description of Request: Provide an earmark of \$138,000 to make public health related improvements to the city's wastewater collection system. The existing water infrastructure in Hartville is aging and too small to address the needs of the community. The funds will pay for a new force main and bore, new gravity sewer piping, and a new duplex lift station with redundant power. A minimum of 45% of the total project cost will come directly from the City of Hartville.

Project Name: Mark Twain National Forest Meth Prevention.

Bill Number: H.R. 1105.

Account: National Forest System.

Requesting Entity: Howell County, Missouri.

Address of Requesting Entity: 1106 Missouri Avenue, West Plains, Missouri 65775.

Description of Request: Provide an earmark of \$492,000 to enhance methamphetamine prevention and enforcement efforts on Mark Twain National Forest. Approximately \$300,000 directed toward cooperative law enforcement (CLE) agreements; \$125,000 for assigned Forest Service salary/fringe; and \$67,000 for vehicle, travel, supply, and support of assigned Forest Service personnel. Cooperative law enforcement agreements allow for needed funding and resources required of rural Missouri law enforcement agencies for improved communication, intelligence sharing, and interagency coordination regarding drug prevention and enforcement efforts within the proclamation boundaries of the Mark Twain National Forest. Cooperative efforts with the following counties agencies have proven successful in the past and remain a high priority for drug enforcement efforts in the Mark Twain National Forest: Barry, Carter, Christian, Douglas, Iron, Madison, Oregon, Ozark, Phelps, Reynolds, Ripley, Shannon, Stone, Taney, Texas, Washington, and Wayne Counties; and South Central Drug Task Force, a multi-jurisdictional drug task force covering roughly the same area.

Project Name: Missouri Bootheel Regional Consortium, Portageville, MO for the Fatherhood First program.

Bill Number: H.R. 1105.

Legal Name of Requesting Entity: Missouri Bootheel Regional Consortium.

Address of Requesting Entity: 46 State Hwy. 162 East, Portageville, MO 63873.

Description of Request: Provide an earmark of \$476,000 for the expansion of The Fatherhood First Program to allow additional families in the Missouri Bootheel region access to important services for fathers and families. Education and Intervention activities will focus on many areas of skill development, job readiness, communication, conflict management, child abuse and neglect, and substance abuse.

Project Name: SEMO University Entrepreneurship Training and Workforce Development.

Bill Number: H.R. 1105.

Legal Name of Requesting Entity: Southeast Missouri State University.

Address of Requesting Entity: One University Plaza, Cape Girardeau, MO 63701.

Description of Request: Provide an earmark of \$500,000 for Entrepreneurship Training Workforce Development and to expand programs that will finance training exercises and conferences coordinated and executed by new economic and workforce development specialists.

Project Name: Southeast Missouri State University, Cape Girardeau, MO for technology upgrades.

Bill Number: H.R. 1105.

Legal Name of Requesting Entity: Southeast Missouri State University.

Address of Requesting Entity: One University Plaza, Cape Girardeau, MO 63701.

Description of Request: Provide an earmark of \$333,000 to expand the services of Kent Library into a modern Information Commons concept and to link the same technical and support services that this renovation will provide to the students, faculty, and staff on the main campus to the students and faculty on the River Campus, four regional campuses

and the community within the University's service region.

Project Name: Southeast Missouri State University, Cape Girardeau, MO for a mobile health unit initiative.

Bill Number: H.R. 1105.

Legal Name of Requesting Entity: Southeast Missouri State University.

Address of Requesting Entity: One University Plaza, MS 1900: Cape Girardeau, MO 63701.

Description of Request: Provide an earmark of \$381,000 for the Southeast Health on Wheels (SHOW) Mobile Program. The SHOW Mobile initiative is a health literacy, health promotional and disease prevention, and primary health and dental care program designed to serve Southeast Missouri. The program is administered by the College of Health and Human Services of Southeast Missouri State University.

Project Name: Susanna Wesley Family Learning Center, East Prairie, MO for programs to assist at-risk youth and their families.

Bill Number: H.R. 1105.

Legal Name of Requesting Entity: Susanna Wesley Family Learning Center, Inc.

Address of Requesting Entity: 207 N. Washington St., Box 249, East Prairie, MO 63845.

Description of Request: Provide an earmark of \$238,000 for the Susanna Wesley Family Learning Center's Positive Alternative System Strategies to Work, or "Pass to Work," program will provide families with activities designed to emphasize good academic and healthy physical performance for at-risk children. In addition, this program will offer employment training, career counseling, and health behavior advice.

# Daily Digest

## HIGHLIGHTS

House and Senate met in a Joint Session to receive a message from the President of the United States.

## Senate

### Chamber Action

*Routine Proceedings, pages S2389–S2432*

**Measures Introduced:** Eleven bills and one resolution were introduced, as follows: S. 457–467, and S. Res. 53. **Page S2423**

#### Measures Reported:

Special Report entitled “Further Revised Allocation to Subcommittees”. (S. Rept. No. 111–4) **Page S2423**

#### Measures Considered:

**District of Columbia House Voting Rights Act:** Senate began consideration of S. 160, to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives, after agreeing to the motion to proceed to consideration thereto. **Pages S2390–99**

During consideration of this measure today, Senate also took the following action:

By 62 yeas to 34 nays (Vote No. 65), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Pages S2397–98**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Wednesday, February 25, 2009. **Page S2432**

**Message from the President:** Senate received the following message from the President of the United States:

Transmitting an address by the President delivered to a Joint Session of Congress on February 24, 2009; which was ordered to lie on the table. (PM–8) **Pages S2419–23**

**Cloture Motion—Agreement:** A unanimous-consent agreement was reached providing that the previously scheduled vote on the motion to invoke clo-

ture on the nomination of Hilda Solis, of California, to be Secretary of Labor, be vitiated.

**Nomination Confirmed:** Senate confirmed the following nomination:

By 80 yeas 17 nays (Vote No. 66), Hilda L. Solis, of California, to be Secretary of Labor.

**Pages S2399–S2412**

**Messages from the House:** **Page S2423**

**Measures Referred:** **Page S2423**

**Additional Cosponsors:** **Pages S2423–24**

**Statements on Introduced Bills/Resolutions:** **Pages S2424–31**

**Notices of Hearings/Meetings:** **Page S2431**

**Authorities for Committees to Meet:** **Page S2431**

**Privileges of the Floor:** **Page S2432**

**Record Votes:** Two record votes were taken today. (Total—66) **Pages S2397–98, S2620–21**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 10:18 p.m., until 9:30 a.m. on Wednesday, February 25, 2009. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S2432.)

### Committee Meetings

*(Committees not listed did not meet)*

#### BUSINESS MEETING

*Committee on Agriculture, Nutrition, and Forestry:* On Monday, February 23, 2009, committee adopted its rules of procedure for the 111th Congress.

#### BUSINESS MEETING

*Committee on Armed Services:* Committee announced the following subcommittee assignments for the 111th Congress:

*Subcommittee on AirLand:* Senators Lieberman (Chair), Bayh, Webb, McCaskill, Hagan, Begich, Burr, Thune, Inhofe, Sessions, Chambliss, and Burr.

*Subcommittee on Emerging Threats and Capabilities:* Senators Reed (Chair), Kennedy, Byrd, Nelson (FL), Nelson (NE), Bayh, Udall (CO), Wicker, Graham, Martinez, Burr, and Collins.

*Subcommittee on Personnel:* Senators Nelson (NE) (Chair), Kennedy, Lieberman, Akaka, Webb, McCaskill, Hagan, Begich, Burr, Graham, Chambliss, Thune, Martinez, Wicker, Vitter, and Collins.

*Subcommittee on Readiness and Management Support:* Senators Bayh (Chair), Byrd, Akaka, McCaskill, Udall (CO), Burr, Burr, Inhofe, Chambliss, and Thune.

*Subcommittee on Seapower:* Senators Kennedy (Chair), Liebermann, Reed, Akaka, Nelson (FL), Webb, Hagan, Martinez, Sessions, Wicker, Vitter, and Collins.

*Subcommittee on Strategic Forces:* Senators Nelson (FL) (Chair), Byrd, Reed, Nelson (NE), Udall (CO), Begich, Sessions, Inhofe, Graham, and Vitter.

#### MONETARY POLICY REPORT

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine the semiannual monetary policy report to the Congress, after receiving testimony from Ben Bernanke, Chairman, Board of Governors of the Federal Reserve System.

#### BUSINESS MEETING

*Committee on Banking, Housing, and Urban Affairs:* Committee adopted its rules of procedure for the 111th Congress.

#### RECENT DEVELOPMENTS IN SRI LANKA

*Committee on Foreign Relations:* Subcommittee on Near East and South and Central Asian Affairs concluded a hearing to examine recent developments in Sri Lanka, after receiving testimony from Jeffrey J.

Lunstead, former United States Ambassador to Sri Lanka, Middlebury, Vermont; Anna Neistat, Human Rights Watch, Washington, D.C.; and Robert Dietz, Committee to Protect Journalists, New York, New York.

#### NATIONAL HEALTH REFORM

*Committee on Health, Education, Labor, and Pensions:* Committee concluded a hearing to examine addressing underinsurance in national health reform, after receiving testimony from Cathy Schoen, The Commonwealth Fund, New York, New York; Gail Shearer, Consumers Union, and Diane Rowland, The Kaiser Commission on Medicaid and the Uninsured, both of Washington, D.C.; and Grace-Marie Turner, Galen Institute, Alexandria, Virginia.

#### MERGER

*Committee on the Judiciary:* Subcommittee on Antitrust, Competition Policy and Consumer Rights concluded a hearing to examine the Ticketmaster/Live Nation merger, focusing on consumers and the concert business, after receiving testimony from Irving Azoff, Ticketmaster Entertainment, Inc., West Hollywood, California; Michael Rapino, Live Nation, Beverly Hills, California; Jerry Mickelson, Jam Productions, Ltd., Chicago, Illinois; and David A. Balto, Center for American Progress Action Fund, and Seth Hurwitz, 9:30 Club/I.M.P., both of Washington, D.C.

#### DISABLED VETERANS

*Committee on Veterans' Affairs:* Committee concluded a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of the Disabled American Veterans, after receiving testimony from Raymond E. Dempsey, Disabled American Veterans, Chicago, Illinois.

#### BUSINESS MEETING

*Select Committee on Intelligence:* Committee adopted its rules of procedure for the 111th Congress.

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## House of Representatives

### Chamber Action

**Public Bills and Resolutions Introduced:** 23 public bills, H.R.1142–1164; and 5 resolutions, H. Con. Res. 58–59; and H. Res. 185–187 were introduced.

Pages H2631–32

**Additional Cosponsors:**

Page H2632

**Reports Filed:** Reports were filed today as follows:

H.R. 200, to amend title 11 of the United States Code with respect to modification of certain mortgages on principal residences, with an amendment (H. Rept. 111–19) and

H. Res. 184, providing for consideration of the bill (H.R. 1105) making omnibus appropriations for

the fiscal year ending September 30, 2009 (H. Rept. 111–20). **Page H2631**

**Recess:** The House recessed at 11:03 a.m. and reconvened at 12 noon. **Page H2608**

**Journal:** The House agreed to the Speaker's approval of the Journal by a ye-and-nay vote of 242 yeas and 163 nays, Roll No. 75. **Pages H2609, H2620–21**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

*Honoring the life, achievements, and contributions of Paul Newman:* H. Res. 18, to honor the life, achievements, and contributions of Paul Newman; **Pages H2612–15**

*Recognizing the significance of Black History Month:* H. Res. 83, to recognize the significance of Black History Month, by a  $\frac{2}{3}$  ye-and-nay vote of 420 yeas with none voting "nay", Roll No. 78; and **Pages H2615–19, H2623–24**

*Colonel John H. Wilson, Jr. Post Office Building Designation Act:* S. 234, to designate the facility of the United States Postal Service located at 2105 East Cook Street in Springfield, Illinois, as the "Colonel John H. Wilson, Jr. Post Office Building", by a  $\frac{2}{3}$  ye-and-nay vote of 417 yeas with none voting "nay", Roll No. 79. **Pages H2619–20, H2624**

**Suspensions—Proceedings Resumed:** The House agreed to suspend the rules and pass the following measures which were debated on Monday, February 23rd:

*Captive Primate Safety Act:* H.R. 80, to amend the Lacey Act Amendments of 1981 to treat nonhuman primates as prohibited wildlife species under that Act and to make corrections in the provisions relating to captive wildlife offenses under that Act, by a  $\frac{2}{3}$  recorded vote of 323 ayes to 95 noes, Roll No. 76 and **Pages H2606–07, H2622**

*South Orange County Recycled Water Enhancement Act:* H.R. 637, to authorize the Secretary, in cooperation with the City of San Juan Capistrano, California, to participate in the design, planning, and construction of an advanced water treatment plant facility and recycled water system, by a  $\frac{2}{3}$  ye-and-nay vote of 402 yeas to 16 nays, Roll No. 77. **Pages H2622–23**

**Recess:** The House recessed at 2:33 p.m. and reconvened at 4:45 p.m. **Page H2624**

**Recess:** The House recessed at 4:46 p.m. and reconvened at 8:40 p.m. **Page H2625**

**President Obama's Address to the Joint Session of Congress:** President Barack H. Obama delivered a message to a joint session of Congress. He was escorted into the House Chamber by a committee

comprised of Representatives Hoyer, Clyburn, Larson (CT), Becerra, Van Hollen, George Miller (CA), DeLauro, Schakowsky, Boehner, Cantor, Pence, McCotter, McMorris Rodgers, Carter, Sessions, and McCarthy (CA) and Senators Reid, Durbin, Schumer, Murray, Menendez, Dorgan, Stabenow, Leahy, McConnell, Kyl, Alexander, Thune, Ensign, and Cornyn. The President's message was referred to the Committee of the Whole House on the State of the Union and ordered printed (H. Doc. 111–1).

**Pages H2625–29**

**Member Resignation:** Read a letter from Representative Solis (CA), wherein she resigned as Representative for the 32nd Congressional District of California, effective Tuesday, February 24, 2009.

**Pages H2629–30**

**Whole Number of the House:** The Speaker announced to the House that, in light of the resignation of the gentlewoman from California, Ms. Solis, the whole number of the House is adjusted to 432.

**Page H2630**

**Quorum Calls Votes:** Four ye-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H2620–21, H2622, H2622–23, H2623–24 and H2624. There were no quorum calls.

**Adjournment:** The House met at 10:30 a.m. and adjourned at 10:20 p.m.

## Committee Meetings

### ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Energy and Water Development, and Related Agencies held a hearing on Corps of Engineers Oversight. Testimony was heard from LTG Robert L. Van Antwerp, USA, Commanding General, Army Corps of Engineers and Chief of Engineers.

### INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Interior, Environment, and Related Agencies held a hearing on Possible Move of Forest Service to the Department of the Interior. Testimony was heard from Robin Nazzaro, Director, Natural Resources and Environment, GAO; Mike Dombeck, former Chief, Forest Service, USDA, and Acting Director, Bureau of Land Management, Department of the Interior; Leah MacSwords, Forester, State of Kentucky; and public witnesses.

### MILITARY LANDS ACQUISITION/DISPOSAL

*Committee on Armed Services:* Subcommittee on Readiness held a hearing on Acquisition and Disposal of Military

Lands: Department of Defense's Real Property Management Challenges in the 21st Century. Testimony was heard from the following officials of the Department of Defense: Wayne Army, Deputy Under Secretary, Installations and Environment; Keith Eastin, Assistant Secretary of the Army, Installations and Environment; and B. J. Penn, Assistant Secretary of the Navy, Installations and Environment; and Kevin W. Billings, Acting Assistant Secretary, Air Force, Installations, Environment and Logistics.

#### **WORKER RETIREMENT SECURITY**

*Committee on Education and Labor:* Held a hearing on Strengthening Worker Retirement Security. Testimony was heard from public witnesses.

#### **SATELLITE HOME VIEWER EXTENSION AND REAUTHORIZATION ACT**

*Committee on Energy and Commerce:* Subcommittee on Communications, Technology, and the Internet held a hearing on Reauthorization of the Satellite Home Viewer Extension and Reauthorization Act. Testimony was heard from public witnesses.

#### **CLIMATE LEGISLATION—ENERGY EFFICIENCY**

*Committee on Energy and Commerce:* Subcommittee on Energy and Environment held a hearing on Energy Efficiency: Complementary Policies for Climate Legislation. Testimony was heard from Philip Giudice, Commissioner, Department of Energy Resources, State of Massachusetts; and public witnesses.

#### **MORTGAGE MODIFICATIONS**

*Committee on Financial Services:* Subcommittee on Housing and Community held a hearing entitled "Loan Modifications: Are Mortgage Servicers Assisting Borrowers with Unaffordable Mortgages." Testimony was heard from Vance Morris, Director, Single Family Asset Management, Department of Housing and Urban Development; Grovetta Gardineer, Managing Director, Corporation and International Activities, Office of Thrift Supervision; and Joseph H. Evers, Deputy Comptroller, Large Bank Supervision, Office of the Comptroller of the Currency, both with the Department of the Treasury; and Patrick J. Lawler, Chief Economist, Federal Housing Finance Agency; and public witnesses.

#### **TARP OVERSIGHT**

*Committee on Financial Services:* Subcommittee on Oversight and Investigations held a hearing entitled "A Review of TARP Oversight, Accountability and Transparency for U.S. Taxpayers." Testimony was heard from Neil M. Barofsky, Special Inspector General, Office of the Special Inspector General, Troubled Asset Relief Program, Department of the Treasury; Gene L. Dadaro, Acting Comptroller General,

GAO; and Elizabeth Warren, Chair, Congressional Oversight Panel.

#### **OFFSHORE DRILLING**

*Committee on Natural Resources:* Continued oversight hearings entitled "Offshore Drilling: State Perspectives. Testimony was heard from Representatives Farr and Rohrabacher; Frank W. Wagner, State Senator, Virginia; Mike Chrisman, Secretary, Natural Resources Agency, California; Robert G. Marvinney, Geologist and Director, Geological Survey, State of Maine; Garrett Graves, Director, Office of Coastal Activities, Governor's Office, State of Louisiana; and a public witness.

Hearings continue tomorrow.

#### **OMNIBUS APPROPRIATIONS ACT, 2009**

*Committee on Rules:* Committee granted, by a non-record vote, a rule providing for consideration of H.R. 1105, the "Omnibus Appropriations Act, 2009". The rule provides one hour of general debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The rule provides the amendment printed in the report of the Committee on Rules shall be considered as adopted and that the bill, as amended, shall be considered as read. The rule waives all points of order against the bill, as amended. The rule provides one motion to recommit with or without instructions. Finally, the resolution lays on the table House Resolution 158. Testimony was heard from Chairman Obey, Representatives Lincoln Diaz-Balart of Florida, Smith of New Jersey, Castle, Pence, Dent, Schmidt, Lance and Paulsen.

#### **MONITORING GREENHOUSE GAS EMISSIONS**

*Committee on Science and Technology:* Subcommittee on Energy and Environment held a hearing on How Do We Know What We Are Emitting? Monitoring, Reporting and Verifying Greenhouse Gas Emissions. Testimony was heard from John Stephenson, Director, Natural Resources and Environment, GAO; and public witnesses.

#### **U.S. AIRWAYS FLIGHT 1549 ACCIDENT**

*Committee on Transportation and Infrastructure:* Subcommittee on Aviation held a hearing on U.S. Airways Flight 1549 Accident. Testimony was heard from Robert L. Sumwalt, III, member, National Transportation Safety Board; Margaret Gilligan, Associate Administrator, Aviation Safety; and Patrick F. Harten, Air Traffic Control Specialist, New York Terminal Radar Approach Control, both with the

FAA, Department of Transportation; the following members of the crew of Airways Flight 1549: CAPT Chesley B. Sullenberger, III; First Officer Jeffrey B. Skiles; Sheila Dail; Donna Dent and Doreen Welsh, all Flight Attendants; and public witnesses.

## COMMITTEE ORGANIZATION

*Committee on Ways and Means*: Subcommittee on Select Revenue Measures met for organizational purposes.

## Joint Meetings

No joint committee meetings were held.

## COMMITTEE MEETINGS FOR WEDNESDAY, FEBRUARY 25, 2009

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Agriculture, Nutrition, and Forestry*: to hold hearings to examine the nominations of Gary Gensler, of Maryland, to be Chairman and Commissioner of the Commodity Futures Trading Commission, 2:30 p.m., SD-106.

*Committee on Armed Services*: to hold closed hearings on Afghanistan and Pakistan, receiving testimony from officials of the intelligence community, 9:30 a.m., SVC-217.

*Committee on Environment and Public Works*: to hold hearings to examine an update on the latest global warming science, 10 a.m., SD-406.

*Committee on Finance*: to hold hearings to examine scoring health care reform, focusing on Congressional Budget Office's (CBO) budget options, 10 a.m., SD-215.

*Committee on the Judiciary*: to hold hearings to examine ensuring television carriage in the digital age, 10 a.m., SD-226.

Full Committee, to hold hearings to examine the nominations of David S. Kris, of Maryland, and Dawn Elizabeth Johnsen, of Indiana, both to be an Assistant Attorney General, Department of Justice, 2 p.m., SD-226.

*Special Committee on Aging*: business meeting to consider committee's rules of procedure for the 111th Congress; to be followed by a hearing to examine securing retirement in a volatile economy, 10:30 a.m., SD-106.

### House

*Committee on Appropriations*, Subcommittee on State, Foreign Operations, and Related Programs, hearing on Building a 21st Century Workforce, 9:30 a.m., 2358 Rayburn.

*Committee on Armed Services*, Subcommittee on Air and Land Forces and the Subcommittee on Seapower and Expeditionary Forces, joint hearing on U.S. Transportation Command's (USTRANSCOM) airlift, sealift, and surface lift programs, 10 a.m., 2118 Rayburn.

Subcommittee on Military Personnel, hearing on beneficiary and advocacy overview, 3 p.m., 2118 Rayburn.

Subcommittee on Strategic Forces, hearing on the future of missile defense testing, 1 p.m., 2212 Rayburn.

*Committee on Education and Labor*, hearing on Renewing America through National Service and Volunteerism, 10 a.m., 2175 Rayburn.

*Committee on Financial Services*, hearing on monetary policy and the state of the economy, 10 a.m., 2128 Rayburn.

*Committee on Foreign Affairs*, hearing on From Competition to Collaboration: Strengthening the U.S.-Russia Relationship, 10 a.m., 2172 Rayburn.

*Committee on Homeland Security*, hearing entitled "DHS: The Path Forward," 10 a.m., 311 Cannon.

*Committee on House Administration*, to continue hearings on Committee Funding for the 111th Congress, 1 p.m., 1310 Longworth.

*Committee on the Judiciary*, hearing on Copyright Licensing in a Digital Age: Competition, Compensation and the Need to Update the Cable and Satellite TV Licenses, 10 a.m.; and to mark up the following bills: H.R. 157, District of Columbia Voting Rights Act of 2009; H.R. 1110, Preventing Harassment through Outbound Number Enforcement Act of 2009; H.R. 628, To establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges; and H.R. 1107, To enact certain laws relating to public contracts as title 41, United States Code, "Public Contracts," 2 p.m., 2141 Rayburn.

*Committee on Natural Resources*, to continue oversight hearings entitled "Offshore Drilling: Industrial Perspectives," 10 a.m., 1324 Longworth.

Subcommittee on Insular Affairs, Oceans and Wildlife, to hold a hearing on the following bills: H.R. 860, Coral Reef Conservation Act Reauthorization and Enhancement Amendments of 2009; and H.R. 934, To convey certain submerged lands to the Commonwealth of the Northern Mariana Islands in order to give that territory the same benefits in its submerged lands as Guam, the Virgin Islands, and American Samoa in their submerged lands, 2 p.m., 1334 Longworth.

*Committee on Rules*, to consider H.R. 1106, Helping Families Save Their Homes Act of 2009, 4 p.m., H-313 Capitol.

*Committee on Science and Technology*, hearing on Impacts of U.S. Export Control Policies on Science and Technology and Competitiveness, 10 a.m., 2318 Rayburn.

*Committee on Small Business*, hearing entitled "Drop in Retirement Savings: The Challenges Small Businesses Face Funding and Maintaining Retirement Plans in a Struggling Economy," 1 p.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure*, Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing on Post-Katrina Disaster Response and Recovery: Evaluating FEMA's Continuing Efforts in the Gulf Coast and Response to Recent Disasters, 10 a.m., 2167 Rayburn.

*Committee on Ways and Means*, to continue hearings on climate change, with emphasis on Scientific Objectives for Climate Change legislation, 10 a.m., 1100 Longworth.

*Permanent Select Committee on Intelligence, executive*, hearing on World Wide Threats, 9 a.m., 304 HVC.

*Select Committee on Energy Independence and Global Warming*, hearing entitled “Get Smart on the Smart Grid: How

Technology Can Revolutionize Efficiency and Renewable Solutions,” 9:30 a.m., 2247 Rayburn.

## Next Meeting of the SENATE

9:30 a.m., Wednesday, February 25

## Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, February 25

## Senate Chamber

Program for Wednesday: Senate will continue consideration of S. 160, District Of Columbia House Voting Rights Act.

## House Chamber

Program for Wednesday: Consideration of H.R. 1105—Omnibus Appropriations Act.

## Extensions of Remarks, as inserted in this issue

## HOUSE

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