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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Ms. EDWARDS of Maryland).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 9, 2009.

I hereby appoint the Honorable DONNA F. EDWARDS to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. 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 Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes.

WELCOMING NINTH ANNUAL NATIONAL BIKE SUMMIT

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

Mr. BLUMENAUER. Madam Speaker, occasionally there is some controversy and conflict here in our Nation's Capital, but this week we have an opportunity for celebrating events that bring people together. We have the ninth annual National Bicycle Summit, which will be welcoming people from 47 States and four foreign countries who will be fanning out across the Capitol to talk about the opportunities for this country in promoting bicycle activities.

This has been an exciting period for people who believe in cycling. Under the leadership of now Chairman OBERSTAR, the House Transportation and Infrastructure Committee in the last reauthorization celebrated the most significant biking, hiking, and walking bill in history. Now, as Mr. OBERSTAR is chairman, we anticipate that there will be even more initiatives that will be undertaken. In the economic recovery package, there were $825 million of projects all across the country that are shovel-ready that actually put more people to work per million dollars than highway construction.

Bike partisanship is alive and well on Capitol Hill, with over 200 members in the Bike Caucus. There is a reason why people are focusing on cycling activities. Since 1980, the number of miles Americans drive has increased three times faster than the population, and almost twice as fast as vehicle registrations. We have reached a point where our roadways simply demand relief.

We have an obesity epidemic. Sixty-five percent of American adults are either overweight or obese. Thirteen percent of our children and adolescents are overweight, due in large part to lack of regular activity. There is an opportunity to burn calories instead of fossil fuel. The Centers for Disease Control estimates that if all these physically inactive Americans become active, we have the opportunity to save over $75 billion a year in health care costs.

The transportation sector contributes one-third of our greenhouse gas emissions that are contributing to cooking the planet.

There are opportunities for individuals to make a difference in their lives. A bike commuter saves almost $2,000 a year in auto-related costs, avoids 50 hours of being stuck in traffic and saves almost 150 gallons of gasoline. And you don't have to be a regular long-distance bike commuter. Forty percent of American trips are two miles or less. Over a quarter are less than one mile.

We all have an opportunity to make a difference. We can start by working with our children. Only 15 percent of students were walking or bicycling to school as we began our new century, yet in an earlier generation more than half the children were able to get to school on their own.

We watch as bicycles have been integrated into day-to-day activities. Right here on Capitol Hill, you will watch bicycle patrols with Capitol police. In fact, more than 96 percent of the large cities in this country have routine bicycle patrols, and they are spreading across the country.

It is also big business. I am not just talking about a bicycle-friendly community like mine in Portland, Oregon, where it is about $100 million dollars of economic activity and employs about 1,000 people. Nationally we are talking about $133 billion, supporting over 1 million jobs, producing over $17 billion in annual Federal and State tax revenue and producing over $53 billion in annual retail sales and services. These are activities that help revitalize the economy exactly at the time we need them. Even those ever-present bicycle rides that are mushrooming around the country support in excess of $100 million a year in critical medical research.

It is time for us to focus on what we in Congress can do to be more bike partisan. We urge you to join in welcoming the cyclists to Capitol Hill and become a member of the Congressional Bike Caucus.

RECESS

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

Printed on recycled paper.

Accordingly (at 12 o'clock and 36 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order at 2 p.m.

PRAYER

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

Lord God, ever attentive to our deepest needs, answer the prayers of the Members of Congress and bring them closer and closer to You.

Lord, once You draw souls close to You, people desire to hold on to Your presence, and so they pray. Then to give flesh and blood to prayerful sentiments and words, they enter into the realm of self-denial.

Finally, personal sacrifice, Lord, never seems worthwhile until it benefits another. So there are these three practices: prayer, fasting, and acts of charity. The three are really one, giving life to each other as they bring us closer to You, O Lord.

Let living faith and faith-filled practice lead us to You both now and forever.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Iowa (Mr. BOSWELL) come forward and lead the House in the Pledge of Allegiance.

Mr. BOSWELL 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.

COMMENDING PRESIDENT OBAMA FOR EXECUTIVE ORDER TO OVERTURN BAN ON FEDERAL FUNDING FOR EMBRYONIC STEM CELL RESEARCH

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

Mr. BOSWELL. Madam Speaker, I rise today to commend President Obama for overturning former President Bush's ban on Federal funding for embryonic stem cell research.

Lifting this 8-year-old restriction provides hope for doctors, scientists, and those in my district, our State, our country, who have waited far too long for research that may provide them with cures for diseases such as diabetes, Alzheimer's, multiple sclerosis, cancer, and others.

Just this weekend, I met with a young lady who I've grown to know very well, Karli Borcherding, who lives with juvenile diabetes and has done a great service to so many by sharing her story and educating countless Americans on this life-altering illness. Each time I meet with her, she reminds me of the hope that stem cell research holds for not just her, but children and young people like her who live with this disease.

Stem cell research has the potential to revolutionize the way patients are treated. We must utilize the best minds and the best science to find cures for people living with chronic diseases.

Our ability to utilize and encourage scientific and medical research has been put on hold too long. I am confident that President Obama will continue to work to enhance medical research and bring renewed hope to those who deserve access to the best medicine possible.

NUCLEAR ENERGY VITAL TO ENERGY INDEPENDENCE

(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, yesterday The Post and Courier of Charleston, South Carolina, editorialized the following: ''President Obama's decision to abandon the national nuclear waste disposal site at Yucca Mountain, Nevada, is a breathtakingly irresponsible dismissal of a vital project on which billions have already been spent. It extends a security risk at dozens of temporary waste disposal sites around the Nation and threatens to cripple the future nuclear development needed to advance national energy independence.''

The editorial continues to say, ''For South Carolina, it raises the likelihood that vast quantities of nuclear waste at the Savannah River site will simply remain there indefinitely. Congress should repudiate the administration's decision.''

That is sound advice. Nuclear energy is clean energy. It has provided my home State over 50 percent of our electrical power for over 30 years and will continue to be an important part of our Nation's energy infrastructure.

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

CONFIRMATION OF JOHN HOLDREN AND JANE LUBCHENCO

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

Mr. HOLT. Mr. Speaker, as the people today are talking about restoring science and government to its rightful place, President Obama's nominees for Director of the Office of Science and Technology Policy and Administrator of the National Oceanic and Atmospheric Administration await confirmation. John Holdren and Jane Lubchenco are among the Nation's finest scientists, and we urgently need them at the forefront of our Nation's efforts to rebuild our economy with new discoveries and innovations, to transform our energy use with new technologies, and to manage our natural resources with enhanced understanding.

Today, I stood in the White House as the President talked about the new science policy; and later I stood in our Capitol dome, gazing up at the fresco of George Washington surrounded by the tools of our founders. My eyes were drawn to two scenes in particular, one named Oceans—or Marine—and the other Science. Our Nation's future prosperity is no less dependent upon a mastery of these fields today. I look forward to confirmation of my good friends, Dr. Lubchenco and Dr. Holdren, soon.

THE HUNGRY BEAST OF GOVERNMENT

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

Mr. POE of Texas. Mr. Speaker, if you tax something, you get less of it. In other words, when the almighty Federal Government swoops in and taxes someone or something, it stifles growth, production, and the incentive to work.

The number one producer of jobs in America is not the government, not large corporations, but small business. Most are owned by individuals, real people who hire other real people.

The new income tax hike is aimed right at these individuals, and the effect will be bad for jobs and the economy. It's the administration's way of punishing success. Small business owners have told me they aren't going to expand because they do not want to get in the higher tax bracket. Some have told me they're going to downsize to pay the new tax increase. That means, in simple terms, lay people off.

Why work hard and expand? The more you work, the higher percent of taxes taken from you by the hungry beast of government. No one should have their taxes raised during a recession, but the new economic recovery plan is: If it moves, regulate it; if it keeps moving, tax it; and if it stops moving, subsidize it.

And that's just the way it is.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. ALTMIRE) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 6, 2009.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 6, 2009, at 1:47 p.m.:

That the Senate passed H.J. Res. 38.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

NAPOLITANO IS WRONG TO INVESTIGATE THE INVESTIGATORS

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

Mr. SMITH of Texas. Mr. Speaker, recently Homeland Security agents in Washington State arrested an illegal immigrant gang member, discovered he worked at a manufacturing plant, then began to investigate the employer and arrested 28 illegal immigrants. Instead of praising their good work, though, Secretary Napolitano said she would investigate the investigators. Amazing.

Secretary Napolitano took the wrong side. She should stand up for U.S. citizens and legal immigrant workers, not the illegal immigrants who take their jobs. She should stand up for the law enforcement officers who are doing their jobs, not the special interests who favor amnesty.

It does not bode well for citizens and legal immigrant workers alike that when it comes to worksite enforcement, this administration is investigating the investigators instead of the law breakers.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the Speaker signed the following enrolled joint resolution on Friday, March 6, 2009:

H.J. Res. 38, making further continuing appropriations for fiscal year 2009, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken after 6:30 p.m. today.

□ 1415

SENSE OF HOUSE REGARDING NATIONAL SCHOOL BREAKFAST PROGRAM

Ms. WOOLSEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 210) expressing the sense of the House of Representatives that providing breakfast in schools through the National School Breakfast Program has a positive impact on classroom performance.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 210

Whereas breakfast program participants under the Child Nutrition Act of 1966 include public, private, elementary, middle, and high schools, as well as rural, suburban, and urban schools;

Whereas at least 16,000 schools that participate in the National School Lunch Program do not participate in the National School Breakfast Program;

Whereas in fiscal year 2008, 8,520,000 students in the United States consumed free or reduced-price school breakfasts provided under the national school breakfast program established by section 4 of the Child Nutrition Act of 1966;

Whereas less than half of the low-income students who participate in the National School Lunch Program also participate in the school breakfast program;

Whereas in fiscal year 2008, 60 percent of school lunches served, and 80 percent of school breakfasts served, were served to students who qualified for free or reduced priced meals;

Whereas the current economic situation, including the increase of nearly 3 percent in the national unemployment rate in 2008, is causing more families to struggle to feed their children and to turn to schools for assistance;

Whereas implementing or improving classroom breakfast programs have been shown to increase the participation of eligible students in breakfast consumption dramatically, doubling, and in some cases tripling, numbers, as evidenced by research in Minnesota, New York, and Wisconsin;

Whereas making breakfast widely available through different venues or a combination thereof, such as in the classroom, obtained as students exit their school bus, or outside the classroom, has been shown to lessen the stigma of receiving free or reduced-price breakfast, which often prevents eligible students from obtaining traditional breakfast in the cafeteria;

Whereas providing free universal breakfast, especially in the classroom, has been shown to significantly increase school breakfast participation rates and decrease absences and tardiness;

Whereas studies have shown that access to nutritious programs such as the National School Lunch Program and National School Breakfast Program helps to create a strong learning environment for children and helps to improve children's concentration in the classroom;

Whereas providing breakfast in the classroom has been shown in several instances to improve attentiveness and academic performance, while reducing tardiness and disciplinary referrals;

Whereas students who eat a complete breakfast have been shown to make fewer mistakes and work faster in math exercises than those who eat a partial breakfast;

Whereas studies suggest that eating breakfast closer to classroom and test-taking time improves student performance on standardized tests relative to students who skip breakfast;

Whereas studies show that students who skip breakfast are more likely to have difficulty distinguishing among similar images, show increased errors, and have slower memory recall;

Whereas children who live in families that experience hunger have been shown to be more likely to have lower math scores, face an increased likelihood of repeating a grade, and receive more special education services;

Whereas studies suggest that children who eat breakfast have more adequate nutrition and intake of nutrients, such as calcium, fiber, protein, and vitamins A, E, D, and B–6;

Whereas studies show that children who participate in school breakfast programs eat more fruits, drink more milk, and consume less saturated fat than those who do not eat breakfast;

Whereas children who fail to eat breakfast, whether in school or at home, are more likely to be overweight than children who eat a healthy breakfast on a daily basis; and

Whereas March 2 through March 6, 2009, is National School Breakfast Week: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the importance of the National School Breakfast Program and its overall positive effect on the lives of low-income children and families, as well as its effect on helping to improve a child's overall classroom performance;

(2) expresses support for States that have successfully implemented school breakfast programs in order to improve the test scores and grades of its participating students;

(3) encourages States to strengthen their school breakfast programs by improving access for students, to promote improvements in the nutritional quality of breakfasts served, and to inform students and parents of healthy nutritional and lifestyle choices;

(4) recognizes the need to provide States with resources to improve the availability of adequate and nutritious breakfasts;

(5) recognizes the impact of nonprofit and community organizations that work to increase awareness of, and access to, breakfast programs for low-income children; and

(6) recognizes that National School Breakfast Week helps draw attention to the need for, and success of, the National School Breakfast Program.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WOOLSEY) and the gentleman from Kentucky (Mr. GUTHRIE) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WOOLSEY. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 210 into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H. Res. 210, a resolution expressing the sense of Congress that providing breakfast in school has a positive impact on classroom performance.

We all know that breakfast is the most important meal of the day. Good nutrition is an essential part of a child's ability to grow and to thrive. According to the Center on Hunger, Poverty and Nutrition, hungry children have less energy for cognitive and social activities, which undermines their ability to learn.

The National School Breakfast Program was established as a pilot program by the Child Nutrition Act of 1966 and made permanent in 1975. The program was created to ensure that all low-income students start the school day with a nutritious breakfast and enter the classroom ready to learn.

Over the last five decades, Mr. Speaker, the National School Breakfast Program has continued to grow. It now operates in more than 85,000 public and nonprofit schools and residential care institutions nationwide. In 2007 over 10 million children participated in the National School Breakfast Program each and every day.

Feeding our children a nutritious breakfast is one of the most important ways we can ensure that students get the most out of their education. Eating close to the start of the school day has improved students' memory, problem-solving skills, and performance on standardized tests.

In addition to improving academic performance, Mr. Speaker, school breakfast programs have been shown to decrease absences, tardiness, and disciplinary problems among all students. In the State of Maryland, for example, referrals to the office decreased by 20 percent when classroom breakfast programs were implemented.

Children who eat a nutritious breakfast have better overall nutrition, maintain higher levels of important nutrients, and are less likely to be overweight than children who do not eat breakfast, combating child obesity, which is so important to our country. And in the past two decades, the number of overweight American children, Mr. Speaker, age 6 to 11 has actually doubled.

Making certain that children eat a healthy and nutritious breakfast is an important part of the effort to solve the public health crisis. Across the Nation millions of children go to school hungry every single day. Although 80 percent of institutions that operate a school lunch program also offer a school breakfast program, participation is much lower in the breakfast program. Only about one in three students who qualify for the free and reduced lunch program actually receive breakfast at school. Participation is low because of a variety of reasons, including inadequate time for an in-school meal and the stigma attached to eating breakfast at school.

Mr. Speaker, as a strong supporter of the school breakfast program, I've always believed that every child should be able to participate in program. I helped to establish a pilot program to test the benefits of a universal school breakfast program in six school districts, including Santa Rosa in my congressional district. And I strongly support providing breakfast for every child, regardless of need.

Providing nutritious breakfasts is a simple but important way to make sure students are more successful in school and helps to set them on the path toward a healthy lifestyle. By making breakfast more widely available, we would be able to share these educational, behavioral, and nutritional benefits with even more of our Nation's young people.

Mr. Speaker, once again I express my support for the National School Breakfast Program, and I thank my colleague Congresswoman MOORE for introducing this important resolution.

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

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

Mr. Speaker, I rise today in support of House Resolution 210, expressing the sense of the House that providing breakfast in schools through the National School Breakfast Program has a positive impact on classroom performance.

Created as a pilot program in 1966 and made permanent in 1975, the National School Breakfast Program helps schools serve breakfast to ''nutritionally needy'' children. The program focuses on those schools where assistance is needed to provide adequate nutrition for students. In fiscal year 2007, over 10.1 million children participated in the school breakfast program each day. Of those, 8.1 million received their meals for free or at a reduced price. Participation has steadily grown over the years from only half a million children in 1970.

The School Breakfast Program is administered in nearly 84,000 schools and institutions by the U.S. Department of Agriculture's Food and Nutrition Service through State education agencies, in agreements with local school food authorities.

Public or nonprofit private schools serving grades K–12 and public or nonprofit private residential child care institutions may participate in the school breakfast program. School districts and independent schools that choose to take part in the breakfast program receive cash subsidies from the U.S. Department of Agriculture for each meal they serve. In return, they must serve breakfasts that meet Federal requirements, and they must offer free or reduced-price breakfasts to eligible children.

Last week schools throughout the country celebrated National School Breakfast Week. During the week, school cafeterias nationwide encouraged students to begin their day with a healthful, nutritious school breakfast.

While many States that have implemented school breakfast programs have seen encouraging outcomes, the problem of childhood hunger persists. The Federal child nutrition programs are helping to end childhood hunger and promote nutrition and wellness, especially in terms of assisting those most in need of beneficial nutrition.

I stand in support of this resolution recognizing the importance of the National School Breakfast Program and the positive impact a nutritious breakfast can have on a child's ability to learn, grow, and develop to their fullest potential.

I ask for my colleagues' support.

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

Ms. WOOLSEY. Mr. Speaker, I am pleased to yield such time as she may consume to the gentlewoman from Wisconsin, GWEN MOORE.

(Ms. MOORE of Wisconsin asked and was given permission to revise and extend her remarks.)

Ms. MOORE of Wisconsin. Mr. Speaker, I rise today to express my strong support for the National School Breakfast Program, H. Res. 210.

This resolution really elucidates the importance of school breakfast programs and their positive impact on a child's overall academic performance. And, again, I want to thank the Education and Labor Committee for bringing this resolution forward in honor of National School Breakfast Week.

Mr. Speaker, every 35 seconds a child is born into poverty in the United States of America. In fact, as a Nation, we have seen an increase in children living in poverty up to nearly 3 million children, with children representing a disproportionate share of the poor in the United States, as they're 25 percent of the total population but 35 percent of the poor in our population.

And to the extent that the parents of children are responsible for their well-being, the unemployment rate, which has risen from 7.6 percent to 8.1 percent and just in the last month losing 651,000 jobs, 3.6 million jobs lost in the last year, this has caused families to struggle even more to feed their children, and they need to turn to schools for this much-needed assistance.

I can tell you that a study done by the Massachusetts General Hospital in conjunction with Harvard Medical School concluded that children who are at nutritional risk have significantly poorer attendance, punctuality, and grades. But it also showed that these same parents that are responsible for taking care of them self report that food insufficiency means that their children have repeated a grade in school, they have lower scores on standardized tests, lower grades in math, and more days tardy and absent from school.

Studies have also shown that students who fail to eat an adequate breakfast increase their chances for being overweight than children who eat a healthy breakfast on a daily basis.

Fortunately, Mr. Speaker, these data show that providing breakfast in school has been able to improve attentiveness and academic performance while reducing tardiness and disciplinary referrals.

I just want to mention that these school breakfasts must meet the nutritional standards under the dietary guidelines for Americans, which recommend no more than 30 percent of an individual's calories come from fat and less than 10 percent from saturated fat. In addition, breakfast must provide one-fourth of the recommended daily allowance for protein, calcium, iron, vitamin A, vitamin C, and calories. And I mention this because this might be the best meal the children have all day long.

I can tell you, Mr. Speaker, that providing availability, accessibility, and participation in the school breakfast program are some of the best ways to support the health and educational potential of children, particularly low-income children. In my own State of Wisconsin, we saw a significant increase in school breakfast participation with a 25.3 percent growth rate, and this is largely due to our efforts in our State to implement universal classroom breakfasts in most of our Milwaukee public elementary schools.

Let me conclude by saying this and reminding the body of this, Mr. Speaker, that though our country is in the midst of a tough economic time, no child in our community or across the country should ever go to school hungry. When our children are able to eat quality meals in the morning, we see improvements in math and reading scores as well as cognitive skills. If our children are going to be able to compete in a global environment, we need to do everything we can to make sure that they succeed. It's clear that there is a definite need for school breakfast programs right alongside our educational programs.

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

Ms. WOOLSEY. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Pennsylvania, Congresswoman DAHLKEMPER.

Mrs. DAHLKEMPER. Mr. Speaker, I rise today in support of House Resolution 210, supporting the goals and accomplishments of the National School Breakfast Program.

The National School Breakfast Program continues to play an important role in the health and educational development of our Nation's children by giving them a nutritious start every morning.

Research has shown that students who eat breakfast are more likely to show academic improvement and be more attentive in the classroom, but having access to a nutritious breakfast also does something else as important. The National School Breakfast Program is at the heart of promoting healthy lifestyle choices for our children. They learn the importance of healthful food choices that can prevent further complications of obesity, type 2 diabetes, and other lifestyle diseases.

Healthy kids make healthy adults, and that is why I am proud to support this resolution and urge my colleagues to support it also.

□ 1430

Ms. WOOLSEY. I would like to know if the gentleman from Kentucky has any further speakers?

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

Ms. WOOLSEY. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I urge my colleagues to support this resolution to recognize the important role the National School Breakfast Program plays in the education and health of our Nation's children.

I would like to say that it's obvious that if you eat a good breakfast you are much better prepared to learn, to focus, to behave yourself, even want to come to school, you want to be there on time. I can tell you from the breakfast pilot program that President Clinton signed into law that was my legislation, and the six districts around the country that had the program in effect for 3 years, it proved itself.

The administrators thought it was the best thing, the principals thought it was the best, the teachers and the kids loved it, and they were provided a balanced meal. I remember going to one of the schools in my district during the breakfast time, it was around 10:15 in the morning, they had been to their first classes and came out for this breakfast, all kids, not just poor. It had nothing to do with economic status.

There was a group of fifth and sixth graders sitting around the table, and I went over to talk to them and I said, what are you guys talking about? And they said, we're talking politics. I mean, they were having the best time. They were thinking. They were excited. Some of them ate two breakfasts every day because their parents actually fed them breakfast. That was the downside of the program was that all these kids didn't have to have breakfast, but we learned later that middle school and high school are the kids that really don't eat breakfast.

So we are going to be working and building on this program and ensuring that in the United States of America, the wealthiest country on the globe, we will, indeed, be able to feed all of our children so that they are the best learners this country can provide.

Mr. SPACE. Mr. Speaker, this Resolution underscores the importance that the National School Breakfast Program has for classroom participation and student performance. The recent increase in children and families needing food assistance highlights the continuing necessity of these programs to keep America's students healthy, attentive and productive in school. More resources are needed in order to provide low-income children with the same opportunities for educational success as their peers. These efforts are critical to decreasing the hunger problems in our country while working to increase educational attainment levels.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WOOLSEY) that the House suspend the rules and agree to the resolution, H. Res. 210.

The question was taken.

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

Ms. WOOLSEY. 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.

CONGRATULATING NATIONAL ASSESSMENT GOVERNING BOARD

Ms. WOOLSEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 222) congratulating the National Assessment Governing Board on its 20th Anniversary in measuring student academic achievement.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 222

Whereas the National Assessment Governing Board (the Governing Board) is an independent, bipartisan board created by Congress in 1988 to set policy for the National Assessment of Educational Progress (NAEP), commonly known as ''The Nation's Report Card'';

Whereas the Governing Board is made up of 26 members, including Governors, State legislators, local and State school officials, educators, researchers, business representatives, and members of the general public;

Whereas when Congress established the Governing Board to oversee The Nation's Report Card, it ensured that the NAEP would be conducted independently and free from inappropriate influences and special interests;

Whereas in overseeing The Nation's Report Card, the Governing Board identifies subjects to be assessed, determines the content and achievement levels for each assessment, and approves all assessment questions;

Whereas The Nation's Report Card is conducted as a representative sample and currently includes National NAEP assessments (which assess the performance of students in grades 4, 8, and 12 in reading, mathematics, writing, science, U.S. history, geography, and other subjects), State-by-State assessments (which are administered to students in grades 4 and 8 to access performance in reading, mathematics, writing, and science), Trial Urban District assessments (which report on the achievement of 4th and 8th grade students in 18 urban school districts that participate in reading, mathematics, writing and science assessments), and long-term trend assessments (which are administered nationally every 4 years to students ages 9, 13, and 17 to assess performance in reading and mathematics);

Whereas State participation in NAEP assessments is voluntary with the exception of reading and mathematics assessments, which States are required to administer to public school students in grades 4 and 8 every 2 years in an effort to measure student performance in reading and mathematics;

Whereas all students who participate in NAEP do so on a voluntary basis and NAEP is forbidden by law to maintain or report information on individual students or schools;

Whereas the Governing Board works to inform the public about The Nation's Report Card by communicating its results to a wide range of Americans, including educators, the media, and elected officials and policymakers at the National, State, and local levels; and

Whereas the Governing Board has served an important role in evaluating the condition and progress of American education for 20 years: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the National Assessment Governing Board on its 20th anniversary in measuring student academic achievement; and

(2) recognizes past and present members of the National Assessment Governing Board for their service to the Nation in improving elementary and secondary education.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WOOLSEY) and the gentleman from Kentucky (Mr. GUTHRIE) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WOOLSEY. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous materials on H. Res. 222 into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H. Res. 222, which recognizes the 20th anniversary of the National Assessment Governing Board. The National Assessment Governing Board is a bipartisan, independent Federal board that sets policy for the National Assessment of Education Progress, or NAEP. NAEP assessments are often referred to as the Nation's report card because these tests are the principal source of data on student achievement nationwide.

NAEP is a congressionally authorized project of the National Center for Education Statistics. The governing board created by Congress in 1988 is made up of governors, State legislators, State and school officials, educators and researchers, all of whom oversee NAEP, identify subjects to be tested and govern reporting of test results.

When Congress established the governing board, we instructed that it be bipartisan and that it be independent, and it has lived up to these expectations and the original vision. The NAEP assessment has been invaluable in providing information on the achievements of students at grades 4, 8, and 12 in reading, mathematics, writing, science, U.S. history, geography and other subjects.

The NAEP State-by-State assessments, which are administered to students in grades 4 and 8 in reading, mathematics, writing and science, have also been helpful in charting what our students know and providing information for a path forward based on real results.

This year, Mr. Speaker, the governing board commemorates 20 years of learning and assessment. To mark this anniversary, the governing board plans to examine the impact of NAEP over the past two decades and look ahead to see how the assessment can continue to play a vital role in measuring student achievement in the future.

In order to highlight these priorities, the board will host a conference to discuss the achievement gap in college and work preparedness with education and policy experts. The governing board has served an important role in evaluating the condition and progress of American education for 20 years.

I thank the governing board for its outstanding service to the Nation in improving elementary and secondary education.

Mr. Speaker, once again I express my support for the National Assessment Governing Board, and I urge my colleagues to join me in recognizing their 20th anniversary. I also want to thank the gentleman from Delaware (Mr. CASTLE) for bringing this bill to the floor, and I urge my colleagues to support this resolution.

I reserve the balance of my time.

Mr. GUTHRIE. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 222, which congratulates the National Assessment Governing Board on its 20th anniversary in measuring student academic achievement. Over the last two decades, the governing board, better known as NAGB, has served an important role in evaluating the condition and progress of the American public education system.

The National Assessment Governing Board was created by Congress in 1988 to set policy for the National Assessment of Educational Progress, or NAEP, which is commonly known as the Nation's report card. It was established as an independent, bipartisan board so that the Nation's assessment system will be conducted independently and free from inappropriate influences and special interests.

The governing board is currently made up of 26 members, including governors, State legislators, local and State school officials, educators, researchers, business representatives and members of the general public. In overseeing the Nation's report card, the governing board identifies subjects to be assessed, determines the content and achievement levels for each assessment, and approves all the assessment questions.

It also works to inform the public about the Nation's report card by communicating results to a wide range of Americans, including elected officials and policymakers at the national, State and local levels, educators and the media.

Because of this important work, the Nation's report card is one of the most widely respected assessment tools in the country. Federal, State and local officials rely on NAGB and NAEP to get an accurate picture of the academic achievement levels of the Nation's students.

In 2002, Congress passed the Education Sciences Reform Act, which reauthorized the activities of the governing board and largely maintained its independent and bipartisan nature. While requiring States to take part every 2 years in its reading and mathematics assessments in grades 4 and 8 in an effort to measure student performance, the bill continues the long-standing practice that State participation in NAEP assessments are voluntary.

All student who participate in NAEP do so on a voluntary basis, and NAEP is forbidden by law to maintain a report or report information on individual students or schools. House Resolution 222 congratulates the National Assessment Governing Board on its 20th anniversary in measuring student academic achievement and recognizes the past and present members of the governing board for their service to the Nation in improving elementary and secondary education.

I want to thank my colleague from Delaware (Mr. CASTLE) for introducing this resolution. Mr. CASTLE served on the governing board when he was Governor of ''The First State,'' and I want to thank him for his service and for his strong support for ensuring that students have access to a high-quality education in this country.

I am pleased to rise in support of this important resolution and ask all of my colleagues to support it.

I reserve the balance of my time.

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

Mr. GUTHRIE. Mr. Speaker, I yield as much time as he may consume to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. I thank the gentleman from Kentucky for yielding, and I would like to thank both of the speakers, Ms. WOOLSEY and the gentleman from Kentucky, for rationally explaining a program not many people understand.

Mr. Speaker, I did have the opportunity and the pleasure of serving on NAGB, the National Assessment Governing Board, for several years when I was Governor of Delaware, and it was not easy work, by the way. I would call it a pleasure, but it involves a lot of difficult meetings, discussion of testing or whatever it may be.

But the bottom line is that they do put together the National Assessment of Educational Progress, the NAEP tests, which are given universally as far as the States are concerned, in our country, and are as good a measuring device as we have to the progress of education from year to year. Some of this is quite voluntary, but all States participate in it in grades 4, 8 through 12, particularly in the reading and the math areas, and we can determine that we have done somewhat better, perhaps

a lot better from year to year, as we look at these tests.

I can tell you that those 26 people, who change from time to time and come from a variety of different backgrounds, are all very dedicated to the concept of making this very apolitical, of making it so that it's a fair standard in tests for all those who are going to take it, and making sure that all the reporting requirements are met in a proper way. This goes through the Secretary of Education and is reported by them, and I think they would do a wonderful job with this.

This is, to me, a very important measuring stick. While congratulatory resolutions may not be the most important thing we do in the Congress of the United States, I think recognizing an entity such as this, which is independent of us and independent of the White House, for all that matters, and deals with preparing this kind of reporting, this kind of background for the testing, is a very significant thing to do to make sure that they are being honored for an achievement which I think has been very helpful in terms of dealing with education.

All of us deal with education policy on a regular basis. We know how important it is to understand that what we are doing is perhaps a step, a small step or a large step in the right direction, and I think that the NAEP tests do that.

For that reason I would hope that we could all support this resolution. Again, I thank those who spoke on the floor for their very thorough and excellent explanations of what NAGB does and what NAEP is all about.

Ms. WOOLSEY. I reserve my time for closing remarks.

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

Ms. WOOLSEY. Mr. Speaker, I urge my colleagues to support H. Res. 222, recognizing the 20th anniversary of the National Assessment Governing Board, and I yield back the remainder of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WOOLSEY) that the House suspend the rules and agree to the resolution, H. Res. 222.

The question was taken.

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

Ms. WOOLSEY. 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.

□ 1445

RONALD REAGAN CENTENNIAL COMMISSION ACT

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 131) to establish the Ronald Reagan Centennial Commission, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 131

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 ''Ronald Reagan Centennial Commission Act''.

SEC. 2. ESTABLISHMENT.

There is established a commission to be known as the ''Ronald Reagan Centennial Commission'' (in this Act referred to as the ''Commission'').

SEC. 3. DUTIES OF COMMISSION.

The Commission shall—

(1) plan, develop, and carry out such activities as the Commission considers fitting and proper to honor Ronald Reagan on the occasion of the 100th anniversary of his birth;

(2) provide advice and assistance to Federal, State, and local governmental agencies, as well as civic groups to carry out activities to honor Ronald Reagan on the occasion of the 100th anniversary of his birth;

(3) develop activities that may be carried out by the Federal Government to determine whether the activities are fitting and proper to honor Ronald Reagan on the occasion of the 100th anniversary of his birth; and

(4) submit to the President and Congress reports pursuant to section 7.

SEC. 4. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of 11 members as follows:

(1) The Secretary of the Interior.

(2) Four members appointed by the President after considering the recommendations of the Board of Trustees of the Ronald Reagan Foundation.

(3) Two Members of the House of Representatives appointed by the Speaker of the House of Representatives.

(4) One Member of the House of Representatives appointed by the minority leader of the House of Representatives.

(5) Two Members of the Senate appointed by the majority leader of the Senate.

(6) One Member of the Senate appointed by the minority leader of the Senate.

(b) EX OFFICIO MEMBER.—The Archivist of the United States shall serve in an ex officio capacity on the Commission to provide advice and information to the Commission.

(c) TERMS.—Each member shall be appointed for the life of the Commission.

(d) DEADLINE FOR APPOINTMENT.—All members of the Commission shall be appointed not later than 90 days after the date of the enactment of this Act.

(e) VACANCIES.—A vacancy on the Commission shall—

(1) not affect the powers of the Commission; and

(2) be filled in the manner in which the original appointment was made.

(f) RATES OF PAY.—Members shall not receive compensation for the performance of their duties on behalf of the Commission.

(g) TRAVEL EXPENSES.—Each member of the Commission shall be reimbursed for travel and per diem in lieu of subsistence expenses during the performance of duties of the Commission while away from home or his or her regular place of business, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(h) QUORUM.—A majority of the members of the Commission shall constitute a quorum to conduct business, but two or more members may hold hearings.

(i) CHAIRPERSON.—The chairperson of the Commission shall be elected by a majority vote of the members of the Commission.

SEC. 5. DIRECTOR AND STAFF OF COMMISSION.

(a) DIRECTOR AND STAFF.—The Commission shall appoint an executive director and such other additional personnel as are necessary to enable the Commission to perform its duties.

(b) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The executive director and staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the rate of pay for the executive director and other staff may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(c) DETAIL OF FEDERAL EMPLOYEES.—Upon request of the Commission, the Secretary of the Interior or the Archivist of the United States may detail, on a reimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out its duties under this Act.

(d) EXPERTS AND CONSULTANTS.—The Commission may procure such temporary and intermittent services as are necessary to enable the Commission to perform its duties.

(e) VOLUNTEER AND UNCOMPENSATED SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use voluntary and uncompensated services as the Commission determines necessary.

SEC. 6. POWERS OF COMMISSION.

(a) HEARINGS.—The Commission may, for the purpose of carrying out this Act, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate.

(b) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(c) OBTAINING OFFICIAL DATA.—The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out its duties under this Act. Upon request of the chairperson of the Commission, the head of that department or agency shall furnish that information to the Commission.

(d) GIFTS, BEQUESTS, DEVISES.—The Commission may solicit, accept, use, and dispose of gifts, bequests, or devises of money, services, or property, both real and personal, for the purpose of aiding or facilitating its work.

(e) AVAILABLE SPACE.—Upon the request of the Commission, the Administrator of General Services shall make available nationwide to the Commission, at a normal rental rate for Federal agencies, such assistance and facilities as may be necessary for the Commission to carry out its duties under this Act.

(f) CONTRACT AUTHORITY.—The Commission may enter into contracts with and compensate government and private agencies or persons to enable the Commission to discharge its duties under this Act.

SEC. 7. REPORTS.

(a) ANNUAL REPORTS.—The Commission shall submit to the President and the Congress annual reports on the revenue and expenditures of the Commission, including a list of each gift, bequest, or devise to the Commission with a value of more than $250, together with the identity of the donor of each gift, bequest, or devise.

(b) INTERIM REPORTS.—The Commission may submit to the President and Congress

interim reports as the Commission considers appropriate.

(c) FINAL REPORT.—Not later than April 30, 2011, the Commission shall submit a final report to the President and the Congress containing—

(1) a summary of the activities of the Commission;

(2) a final accounting of funds received and expended by the Commission; and

(3) the findings, conclusions, and final recommendations of the Commission.

SEC. 8. TERMINATION.

The Commission may terminate on such date as the Commission may determine after it submits its final report pursuant to section 7(c), but not later than May 30, 2011.

SEC. 9. ANNUAL AUDIT.

The Inspector General of the Department of the Interior may perform an audit of the Commission, shall make the results of any audit performed available to the public, and shall transmit such results to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

SEC. 10. PROHIBITION ON OBLIGATION OF FEDERAL FUNDS.

No Federal funds may be obligated to carry out this Act.

The SPEAKER pro tempore (Mr. ALTMIRE). Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from California (Mr. ISSA) 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, as a matter of courtesy, I would like to offer the opportunity to address the House first to my colleague, the gentleman from California (Mr. ISSA).

Mr. ISSA. I thank the gentleman. In the same vein, I yield such time as he may consume to the author of the bill, the gentleman from California (Mr. GALLEGLY).

Mr. GALLEGLY. Mr. Speaker, I rise today in strong support of H.R. 131, the Ronald Reagan Centennial Commission Act. To prepare for the upcoming anniversary of his 100th birthday on February 6, 2011, Mr. BLUNT, Mr. FOSTER, and I, along with over 130 cosponsors from both parties, introduced this legislation creating the Ronald Reagan Centennial Commission to pay tribute to our 40th President.

This 11-member bipartisan commission is similar to others created for Presidents Abraham Lincoln, Theodore Roosevelt, Franklin Delano Roosevelt, Harry Truman, and Dwight Eisenhower. This commission will develop plans and memorials to honor President Reagan. These events can take place all over the country, from here in Washington, to his birthplace in Illinois, to California, where he lived most of his life.

As a fellow Californian, I had the great privilege of spending time with him when I first came to the House of Representatives in 1986, and his Presidential Library and burial place are not far from my very own home in Simi Valley.

''The Great Communicator'' spoke for the American people, capturing the hearts of small-town citizens and world leaders alike. His remarkable career in public service spanned over 50 years. It began as a student leader and sports broadcaster in Illinois and Iowa, and then in Hollywood as an actor and long-time president of the Screen Actors Guild.

California enjoyed an economic resurgence during his term as Governor and, as President of United States, his legacy is extraordinary. In 8 short years as President, Ronald Reagan presided over the international changes and ushered in unparalleled peace and prosperity—not only for our Nation, but, Mr. Speaker, for the entire world.

I want to thank Chairman TOWNS and Ranking Member ISSA, along with their respective staffs, for their assistance in helping put this bill together. I also want to express my appreciation to the Speaker, majority leader, and minority leader on our side for their help in bringing the bill to the floor.

Mr. Speaker, I ask my colleagues to join with me in supporting H.R. 131.

Mr. LYNCH. Mr. Speaker, I continue to reserve.

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

Mr. Speaker, Republicans often talk of Ronald Reagan with a special reverence, but I believe that honoring his life in this centennial year of 2011 is much more about honoring the difference that Presidents can make, whether it was James Madison, Thomas Jefferson, Abraham Lincoln, Teddy Roosevelt, Franklin Delano Roosevelt—even Eleanor Roosevelt—or Harry Truman.

We have repeatedly honored Presidents after their term, after their life, because it reminds Americans that in fact we are a country that is both a democracy and a led-by-an-executive form of government. We don't have a parliamentary form of government. We have a strong, perhaps the strongest, Presidential form of government.

We hope today that President Obama will some day have a commission that, in fact, the impact of his life at this very troubled time will be every bit as great as the impact was for Ronald Reagan, who came to office in what could have been the continued era of the Cold War and, instead, he helped end it.

The commission that is being formed, if we pass this here today and the Senate confirms, will be composed of Members of Congress and individuals who have knowledge and expertise concerning the life of President Reagan, including childhood friends, career individuals in Hollywood who knew him well and, of course, some Members of Congress.

2011 will be a fitting time. We will be halfway through this President's time. We will be well into a recovery that we all trust and hope for today. And we will be talking about the hope for the future. This will help America focus on the fact that hope for the future, and hard work, whether it was in the Reagan administration or the Obama administration, is part of what each President brings when they address America, lead America, and in fact influence the direction of this Congress.

So, with that, I urge strong support for this bipartisan bill.

I yield back the balance of my time.

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

Mr. Speaker, H.R. 131, the Ronald Reagan Centennial Commission Act, creates a Federal commission to honor and celebrate the 100th anniversary of the birth of Ronald Reagan. The measure has been properly vetted and amended accordingly by the House Oversight Committee and is nearly identical to the bill approved by the House in the last Congress. However, in line with calls for a more fiscally responsible government, the only real change to this year's bill is the inclusion of amending language to prevent the expenditure of Federal funds to carry out the work of the commission.

Ronald Reagan was born in Illinois in 1911. He later moved to California, where he became a successful Hollywood actor and later the president of the Screen Actors Guild. On the screen, he was best known for portraying George Gipp, a famous player who, on his deathbed, famously urged his teammates to ''go out there with all they've got and win just one for the Gipper.'' President Reagan would carry the nickname Gipper and the boundless optimism that he epitomized in that quote for the remainder of his life.

After serving two terms as the 33rd Governor of the State of California, in January, 1981, Ronald Reagan was sworn in as our Nation's 40th President. As we are all aware, Mr. Reagan would hold and serve as the Commander in Chief of our country for two terms, between 1980–1988.

Known as the ''Great Communicator,'' President Reagan spoke ably and directly to the American people about the pressing issues of his time. He positioned the United States as a strong counterpoint and a beacon of freedom and hope in the face of an oppressive Soviet Communist regime. Whether urging Premier Gorbachev to ''Tear down this wall,'' or declaring it ''Morning in America,'' President Reagan, through his words and deeds, embodied the eternal optimism that is at the core of our American spirit.

Early in his Presidency, President Reagan is said to have remarked that, ''What I'd really like to do is to go down in history as the President who caused the American people to believe in themselves again.''

Mr. Speaker, I am sure that most people will agree that President Reagan's optimism in the face of great difficulty has great relevance today, as they are in harmony with President Obama's current message of hope and renewal for our country in the midst of our current challenges.

I am confident that upon enactment of H.R. 131, the Ronald Reagan Centennial Commission will be able to find ways to respectfully and appropriately honor and pay tribute to the accomplishments of one of America's recent and notable leaders, the late President Ronald Reagan.

With that, Mr. Speaker, I stand in support of H.R. 131, and I urge my colleagues to do the same.

I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, I ask unanimous consent to reclaim previous time yielded.

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

There was no objection.

Mr. ISSA. With that, I yield 2 minutes to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank my friend for yielding. I thank the House for its indulgence.

Mr. Speaker, I rise in support of this measure. Perhaps only one generation in a century is fortunate enough to actually know a truly great leader, and ours was that generation. But our children and our children's children will know him, too, through the power of his words and the force of his ideas, his undying faith in freedom, his eternal belief in America, and they will know him, and know him well, because our generation will make sure of it.

The passing of Ronald Reagan didn't mark the end of an era. Rather, it marked the beginning of one—an era of American renaissance and resurgence, an era when America rediscovered her belief in liberty and faith. Ronald Reagan opened that era. It's now for our generation to cultivate it, to expand it, and to extend it to the next.

He often reminded us that, for America, the best is yet to come. He was right. Because his memory will be walking beside us and counseling us and guiding us to those bright decades and centuries ahead.

This commission is an important act in support of a large and solemn pledge—a pledge from this generation to all future generations that we will keep Ronald Reagan's memory alive, that we will uphold and advance his vision of America's greatness and of her goodness, and this act is but one thread in the tapestry of memory that will stretch through time to the latest generation.

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

Mr. LYNCH. I would simply urge my colleagues to join us in the support of H.R. 131. We urge its adoption.

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 bill, H.R. 131, as amended.

The question was taken.

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

Mr. LYNCH. 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 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

RECESS

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

Accordingly (at 2 o'clock and 56 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

House Resolution 210, by the yeas and nays;

House Resolution 222, by the yeas and nays;

H. Res. 131, de novo.

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

SENSE OF HOUSE REGARDING NATIONAL SCHOOL BREAKFAST PROGRAM

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 210, 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 gentlewoman from California (Ms. WOOLSEY) that the House suspend the rules and agree to the resolution, H. Res. 210.

The vote was taken by electronic device, and there were—yeas 383, nays 11, not voting 37, as follows:

[Roll No. 110]

YEAS—383

Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castle
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellsworth
Emerson
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kingston
Kirk
Kissell
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Langevin
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Mack
Maffei
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)

Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—11

Akin
Broun (GA)
Campbell
Chaffetz
Duncan
Flake
King (IA)
Lummis
Paul
Poe (TX)
Shadegg

NOT VOTING—37

Abercrombie
Berkley
Brown, Corrine
Buchanan
Cassidy
Cooper
Ellison
Engel
Gohmert
Graves
Grijalva
Gutierrez
Hoekstra
Johnson (GA)
Johnson (IL)
Kirkpatrick (AZ)
Klein (FL)
Kucinich
Larsen (WA)
Lucas
Maloney
Marchant
McCotter
Meeks (NY)
Miller, Gary
Murtha
Neal (MA)
Putnam
Richardson
Rodriguez
Roe (TN)
Rohrabacher
Rush
Space
Stark
Tiahrt
Young (FL)

□ 1857

Mr. BLUNT changed his vote from ''nay'' to ''yea.''

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.

Stated for:

Mr. TIAHRT. Madam Speaker, on rollcall No. 110, I was necessarily detained. Had I been present, I would have voted "yea."

CONGRATULATING NATIONAL ASSESSMENT GOVERNING BOARD

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 222, 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 gentlewoman from California (Ms. WOOLSEY) that the House suspend the rules and agree to the resolution, H. Res. 222.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 388, nays 9, answered ''present'' 1, not voting 33, as follows:

[Roll No. 111]

YEAS—388

Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellsworth
Emerson
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Langevin
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Rahall
Rangel
Rehberg
Reichert
Reyes
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—9

Akin
Broun (GA)
Campbell
Flake
Franks (AZ)
Garrett (NJ)
Paul
Poe (TX)
Souder

ANSWERED ''PRESENT''—1

Kissell

NOT VOTING—33

Abercrombie
Berkley
Brown, Corrine
Buchanan
Cassidy
Cooper
Ellison
Engel
Graves
Grijalva
Gutierrez
Hoekstra
Johnson (IL)
Kirkpatrick (AZ)
Klein (FL)
Kucinich
Larsen (WA)
Lucas
McCotter
Meeks (NY)
Miller, Gary
Murtha
Neal (MA)
Putnam
Radanovich
Richardson
Rodriguez
Roe (TN)
Rohrabacher
Rush
Space
Stark
Young (FL)

□ 1906

Mr. GARRETT of New Jersey changed his vote from ''yea'' to ''nay.''

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.

RONALD REAGAN CENTENNIAL COMMISSION ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 131, as amended.

The Clerk read the title of the 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 bill, H.R. 131, as amended.

The question was taken.

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

RECORDED VOTE

Mr. HASTINGS of Florida. Madam 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 371, noes 19, answered ''present'' 1, not voting 40, as follows:

[Roll No. 112]

AYES—371

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (TX)
Ehlers
Ellsworth
Emerson
Eshoo
Etheridge
Fallin
Farr
Fattah
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Green, Al
Green, Gene
Griffith
Guthrie
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinojosa
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kissell
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Langevin
Larson (CT)
Latham
LaTourette
Latta
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Myrick
Napolitano
Neugebauer
Nunes
Nye
Obey
Olson
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Rahall
Rehberg
Reichert
Reyes
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Wu
Yarmuth
Young (AK)

NOES—19

Cohen
Edwards (MD)
Filner
Flake
Fudge
Hinchey
Hirono
Johnson (GA)
Johnson, E. B.
Lee (CA)
McDermott
Miller, George
Nadler (NY)
Oberstar
Olver
Paul
Payne
Slaughter
Woolsey

ANSWERED ''PRESENT''—1

Grayson

NOT VOTING—40

Abercrombie
Berkley
Brown, Corrine
Buchanan
Cassidy
Cooper
Doggett
Ellison
Engel
Gohmert
Graves
Grijalva
Gutierrez
Hall (NY)
Hoekstra
Johnson (IL)
Kirkpatrick (AZ)
Klein (FL)
Kucinich
Larsen (WA)
Lucas
McCotter
McMorris Rodgers
Meeks (NY)
Miller, Gary
Murtha
Neal (MA)
Putnam
Radanovich
Rangel
Richardson
Rodriguez
Roe (TN)
Rohrabacher
Rooney
Rush
Space
Stark
Tierney
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1916

Mr. BOCCIERI changed his vote from ''no'' to ''aye.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GUTIERREZ. Madam Speaker, I was unavoidably absent from this Chamber today. Had I been present, I would have voted ''yea'' on rollcall votes 100, 111, and 112.

HONORING DR. GREGORY FREYDMAN

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

Mr. McCLINTOCK. Madam Speaker, I rise to honor the memory of Dr. Gregory Freydman of California.

Dr. Freydman spent most of his life seeking freedom for his family, and finally fulfilled that dream at the age of 72 when he legally immigrated to the United States from the Soviet Union. He had been a renowned oncologist there and had risked his livelihood and his liberty to speak out against Soviet abuses.

Having seen firsthand the misery that tyranny inflicts on its people, Dr. Freydman devoted himself to learning English, studying the American system of government, and passing on his appreciation of American founding principles to his children and to his grandchildren. He proudly became a U.S. citizen at the age of 77.

The highlight of his life was spending his final years in freedom with his beloved wife, Polina, secure in the knowledge that through a lifetime of struggle, he had secured the blessings of liberty for his posterity.

May he now rest in peace.

NATIONAL SCHOOL BREAKFAST PROGRAM

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

Mr. TONKO. Madam Speaker, I rise to recognize the importance of the National School Breakfast Program and to express my support for the resolution by the gentlelady from Wisconsin that we passed this evening.

The 100 percent Federally funded school breakfast programs, particularly where breakfast is served in the classroom, have shown to increase student attentiveness, academic performance, and decrease tardiness and disciplinary referrals.

Classroom breakfast programs are important because they reduce the stigma of receiving free or reduced price breakfasts and increase participation in school breakfast programs. In my district, the Troy City School District has adopted a grab-and-go program where kids can get their breakfast right in their hallways and bring it into the classroom to eat with their peers. These schools, particularly School 2, 12 and 14, and the Carroll Hill School, have all seen their breakfast participation numbers rise to 50 to 60 percent of all students in their schools, where the average elsewhere in New York State is only 20 percent.

I hope that we can do around the country what Troy City School District has done in my congressional district. In these tough economic times, we need to ensure that more students are taking advantage of school breakfast programs, and breakfast in the

classroom has been shown to do just that.

UTILITARIANISM BEAT DOWN HUMAN DIGNITY

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

Mr. INGLIS. Madam Speaker, I rise to lament the fact that, today, in a stroke of a pen, utilitarianism beat down human dignity.

When President Obama lifted the ban on stem cell research additional lines, what he is saying really is that it's okay to kill some humans in order to improve the conditions of other humans. The problem with that is it devalues all humans when we say that you can kill some to benefit others.

We can do this research. We can do the more promising research on adult stem cells, and we can get to the place where we don't produce excess embryos. Other countries, Germany, for example, limits the number of fertilized eggs, but we produce excess embryos. We can stop that practice. We can also have adoptions of the existing excess embryos.

So Madam Speaker, it is a sad day when utilitarianism beats down human dignity. It's a sad day for America. This is a time when we should be, in a technological age, establishing bright-line tests so that we understand and preserve the dignity of human life. It's also not the interference of politics into science, but the bounding of science by ethics and morality.

MOURNING THE LOSS OF PASTOR FRED WINTERS

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

Mr. SHIMKUS. Madam Speaker, yesterday, in my district, and close to my hometown in Maryville, Illinois, Pastor Fred Winters lost his life to an assailant who came into the church during the first service.

Pastor Winters was a friend, and had done a tremendous job in growing First Baptist Church in Maryville to a church of great size and a great ministry in the area.

My thoughts and prayers go out to the community of Maryville, Illinois. My thoughts and prayers go out to the church and congregants of First Baptist Church in Maryville.

We live in an age of sinful human beings. Sometimes we don't understand God's will, but the people at First Baptist Church in Maryville are trying to make sense of an issue that doesn't make sense. All they do know is that God is in control, and that Pastor Winters is joined in heaven with Christ, his Lord.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

BORDER WAR IN HUDSPETH COUNTY AND CULBERSON COUNTY, TEXAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE of Texas. Madam Speaker, I bring you news from the second front. I'm talking about the front on the southern border of the United States with Mexico.

This past weekend, I had the opportunity to spend some time with two of the sheriffs of the Sheriff's Border Coalition. There are 20 counties in Texas that the sheriffs are members of the Border Coalition. And I spent time with two of those sheriffs, Sheriff Arvin West from Hudspeth County and Sheriff Oscar Carrillo of Culberson County. These two counties are directly east of El Paso County.

The size of these two counties put together are the size of Connecticut and Rhode Island put together. They're massive counties and sparsely populated. The sheriff in each of these counties and his deputies know everybody that lives in the county, unlike the Border Patrol, who come and go from the community. They never really know the people or the culture, or what takes place in those counties. But the border sheriffs and their deputies, since most of them grew up there and were born there, they know the people who should be there and those people that are outside, as they call them, ''out-of-towners.''

This past weekend, the Mexican Government sent 5,000 troops to Juarez, Mexico. That's the town across from El Paso. The reason is because of the drug cartels and the violence. Drug cartels are doing war with not only the United States, but they're doing war physically with the Mexican military. And it's so dangerous down there that Fort Bliss, which is across the river from Juarez, those soldiers that have been in Afghanistan and Iraq, are not permitted to go to Juarez. The State Department has warned Americans not to go to Juarez because of the danger of kidnappings and the violence that has occurred there all because of the drug cartels.

But going back to the two counties of Culberson County and Hudspeth County, the question keeps being asked, ''Well, all that crime just stays there on the Mexican side, it never comes to the American side.'' Let me give you a statistic, Madam Speaker, how all the border sheriffs have to fight the drug epidemic and the crimes of violence and the property crimes in their county.

Sheriff Arvin West, Hudspeth County, has two jails; one has 125 prisoners, the other one has 545 prisoners. And on Saturday night, every person in both of those jails except one was illegally in the United States. There was one citizen. And these people are not charged with immigration violations. They hadn't just been picked up for illegally entering the country. They had been arrested for crimes against the Federal Government, felonies and misdemeanors against the State of Texas. He said if he didn't have to keep arresting folks illegally coming into the country and committing crimes in his county, he could close his jail down because there was only one citizen in the whole county or in the county jails. And he said seldom does he have any local folks put in that jail.

So, yes, the border crime has come to the United States and will only get worse. But to show you how innovative these sheriffs are, these are poor counties, these are low-income counties where you've got hardworking people—sparsely populated, however—and so the sheriff have no budget for vehicles. Unlike the drug cartels that have Humvees, they have SUVs, pickup trucks, all of the things that they want. Border sheriffs—this sheriff especially—has no budget in the county for vehicles, so he has to confiscate drug vehicles—when he captures the bad guys with drugs—and then he uses those vehicles after they have been seized for his deputies. He has 20 vehicles that he uses for his 17 deputies, and he has two or three of these 18-wheelers.

□ 1930

Yes, he's captured an 18-wheeler that's seized by the good guys against the bad guys, and on all of these vehicles, he puts this little notice down here on the bottom. It's on the bottom of this cab. It says semi-truck, $80,000. The drugs were worth $40,000. The bad guy got 10 years in the penitentiary, and the seizure of this vehicle is priceless. So that's how he runs his sheriff's department: with seized vehicles. I commend him for doing that.

It's important that we understand that the drug smugglers have more vehicles, better vehicles, more money, more men, and better equipment. They use GPS tracking devices to keep up with their drug loads. As I mentioned, they use Humvees. We have occurrences of the Mexican military helping move the drugs into these counties. Of course, Homeland Security denied that occurred. They said that didn't happen. But they didn't understand that Arvin West, Sheriff West, had the whole Mexican infiltration into his county on videotape, and once he videotaped it and showed it to Homeland Security, they said, well, maybe they are intruding and helping the drug cartels.

And these people don't make any money. The sheriff of Hudspeth County makes $39,000 a year. Sheriff Carrillo of Culberson County makes $32,000 a year, and their deputies make about $27,000 a year. And they are protecting us from the drug cartels moving into the country. A guy just bringing drugs into the United States is going to make up to $1,500 a load, making far more than our own border protectors.

There are four commodities being traded on the border. Two are going north and two are going south. The two going north are people and drugs, and they're being worked together. In other words, the coyotes work with the drug cartels to smuggle people. The two commodities going south: guns and money, and that's what's being traded on the border with Mexico.

It's important, Madam Speaker, that we provide our border protectors with the Humvees they need. We need to give them better equipment, and we need to put troops on the border because the purpose of government is to protect the people.

And that's just the way it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CHARITABLE DEDUCTIONS AND GOVERNMENT SPENDING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Madam Speaker, we have an organization in this country called the Independent Sector. It's a nonprofit, nonpartisan coalition of charities, foundations, and corporate philanthropic programs collectively representing tens of thousands of charitable groups in every State across the Nation. The mission of this organization is to advance the common good by leading, strengthening, and mobilizing the nonprofit community.

The reason that I bring this up tonight is that the way that the administration, through the budget, wants to help fund health care reform is they want to reduce the amount that people can deduct when they make charitable contributions. And this organization that represents the Volunteers of America, the Salvation Army, the Red Cross, all these organizations, says that if the legislation passes in the budget in its present form, they will lose $4 billion a year in charitable contributions because people won't be able to deduct the same amount that they've been deducting before when they make a contribution to these charities. And I think that's tragic because people who need help from the Salvation Army or the Red Cross or these other philanthropic organizations really need help, and if they can't get it from those organizations, the place they are going to go to try to get it is where? From the taxpayers, from their local trustee, their State government, their city government, or the Federal Government. So what we are going to see is a transfer of responsibility from these independent philanthropic organizations to these local government entities and the Federal Government if we start reducing the amount that people can deduct in charitable contributions. I think that's tragic.

The Secretary of the Treasury, Geithner, appeared before the Senate this past week, and he was asked about this, and he said, well, he thinks there might be other ways that they could fund the health care changes in this country without dipping into the charitable contribution deductions. Well, the head of OMB indicated, I think, yesterday on Face the Nation that Mr. Geithner probably wasn't right, that once the American people see how this money is going to be used, they'll understand it.

I don't believe that, Madam Speaker. I believe the American people, when they give money to a charity, want to make sure that that money is going to that charity and that they get their charitable deduction for that. If they don't get that charitable deduction, they're going to start cutting back on the money they give to charities, and the minute they start doing that, Madam Speaker, then you're going to see these charities start wanting for money because they won't be getting the money they have been getting in the past.

These organizations have said collectively they are going to lose $4 billion a year if the budget proposed by the administration and proposed by the House leadership and the Senate leadership, if that goes through. And it may go through tomorrow. Then these charities are not going to get that money, $4 billion in losses, and it's going to be borne by other institutions. And I submit to you it will be the local governments, the State governments, and probably the Federal Government. I think that's just dead wrong.

I want to end up tonight by saying one more thing, Madam Speaker, to my colleagues back in their offices. We have been increasing the money supply, printing more money very rapidly, and we are indebting the people of this country to the tune of trillions of dollars. The Secretary of the Treasury is going to have another $3 trillion that he's going to have to print to give to financial institutions to keep them above water. The budget that we're talking about, the bailout bill that we're talking about, the stimulus package, all of those add up to trillions of dollars more in spending.

If you look at this chart, you will see that the money supply in this country has been pretty level up through the year 2000, and then it starts going up like a rocket, and now it's going straight up. And what that means to the American people, and I hope the American people, if they happen to be paying attention, and I can't talk to them, I know, but if they happen to be paying attention, I hope they realize that the increase in the money supply is going to come directly to them eventually. It's going to affect them in higher taxes and higher costs of goods and services when they go to buy them. If you have more money in circulation, and we're looking at trillions of dollars more that's going to be printed, that money is going to be chasing fewer goods and services. What that means simply is if you go to buy a loaf of bread, it's going to cost more. If you buy a gallon of gas, it's going to cost more. If you buy electricity in your home, when you turn the switch on, it's going to cost more.

So I would just like to say to my colleagues, we really need to do something about spending. We have got to say to the administration and our colleagues in the House and the Senate it's time to cut spending. We don't need to spend more. We don't need to spend these trillions of dollars. We ought to be cutting taxes instead of doing that to stimulate economic growth, and we need to make sure that the American people and the future generations of this country are not saddled with more debt and hyperinflation.

There are so many things going on right now, Madam Speaker, that troubles me, it's not even funny. And it all comes down to spending more money and imposing more burden on the American taxpayers and the future of this country.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

ENERGY INSECURITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. INGLIS) is recognized for 5 minutes.

Mr. INGLIS. Madam Speaker, I have been doing this series on our energy insecurity problem and opportunity. And it clearly is that. It's both a danger and an opportunity. Our energy insecurity, the fact that we are dependent on foreign nations for our transportation

fuels and the fact that we really don't have a great plan at this point about how to produce electricity. So we've got this energy insecurity and we've got a danger there, but we have also got an incredible opportunity.

But speaking especially to fellow conservatives, I wonder if our conservative environmental policy is being controlled by former Vice President Al Gore. You know, it's said that he who angers you controls you. So I wonder if the fact that when we hear ''climate change,'' we see Al Gore and we get angry; it makes him actually the one that's controlling our view of climate change. Wouldn't it be something if we conservatives were actually under the control of Al Gore because he angers us so much that we can't see past him and some claims he makes about climate change? Some conservatives think that's a bunch of hooey. But if we can't see past that to the job creation opportunity and to the national security risk, then is he really controlling us?

So what I'd like to ask, especially fellow conservatives, to consider is, is that really where we want to be? Do we really want to be controlled by a former Vice President, or do we want to see the opportunity, job creation opportunity, and the incredible national security danger, and then move to act to solve it?

Of course, I think that the solution that conservatives bring is an understanding of markets and how economics work, and how it is that people making profit will actually solve this energy insecurity problem.

So try this out for size: If I'm making Inglis widgets at my factory, and I'm belching and burning and basically dumping ash on my neighbor's property, it's a pretty good deal for me. It stinks for my neighbor. Now, under Biblical law my neighbor would have a cause of action against me. Under English common law, under American common law, and by virtue of EPA and regulations, my neighbor would have a cause of action against me or a regulatory regime to help him out.

Now, if I'm heard to complain to the local congressman, no, now, listen, you can't make me put scrubbers on my smokestack because that will drive up the price of my widgets. Inglis widgets will go up in price, and that will make it so that the customer is hurt. Well, will it? Or will it actually create the opportunity for another entrepreneur across town who is ready to compete with me and take me out because he's got a cleaner process, a smaller smokestack, if you will? So if society wants to move along to that better product that my competitor is offering across town, then what we have to do is figure out a way to make me keep my ash on my property. If you do that, it's called internalizing the externals. It's something that we conservatives can understand. It's a market distortion that we have got to fix. If we fix it, then my incumbent technology, the cheaper widgets because I get to dump ash on my neighbor's property, suddenly becomes more expensive, and the competing technology now takes me out.

That's where we are with gasoline, for example. The reason the gasoline is so cheap, and it is so cheap, is there are all these negative externalities that aren't recognized by the market: the national security risk, the climate change risk, the environmental problems associated with it. If you stuck those onto the product of gasoline and said, now, gasoline, compete with plug-in hybrids, suddenly plug-in hybrids would be popping up everywhere because the competition would be able to take out the incumbent technology.

I think that's an inherently conservative idea. I think it's understanding how markets work, how economics work, and how profit can solve this energy insecurity. Because if we get to the place where that competing technology can take out the incumbent technology, we will break this addiction to oil, and we will improve the national security of the United States, and we will create jobs, because those new technologies have a lot of jobs in them.

So even if you think that climate change is a bunch of hooey, there are two other reasons to pursue it that are equally valid and very exciting opportunities to fix this energy insecurity that we face, and that I look forward to talking with you again about.

My colleagues, this is an opportunity for us to work together to build consensus, to collaborate as Republicans and Democrats. We can fix this problem.

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The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

(Mr. MCHENRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

GENERAL LEAVE

Ms. FUDGE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which Members may revise and extend their remarks and insert extraneous materials on the topic of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from Ohio (Ms. FUDGE) is recognized for 60 minutes as the designee of the majority leader.

Ms. FUDGE. I am a member of the Congressional Black Caucus, better known as the CBC. Currently, the CBC is chaired by the Honorable BARBARA LEE from the Ninth Congressional District of California. My name is Congresswoman MARCIA FUDGE, representing the 11th District of Ohio.

CBC members are advocates for the human family nationally and internationally and have played a significant role as local and regional activists. We continue to work diligently to be the conscience of the Congress.

But understand all politics are local. Therefore, we provide dedicated and focused service to the citizens and the congressional districts we serve.

The vision of the founding members of the Congressional Black Caucus to promote the public welfare through legislation designed to meet the needs of millions of neglected citizens continues to be our focal point for the legislative work and political activities of the Congressional Black Caucus today. More than ever, it is necessary that we, as leaders, help those whom we serve. As the floor moderator today for the Congressional Black Caucus special order hour, I have to add that it is more important than ever that we put the money where our mouth is.

For the past 8 years, we have lived in a cloud of corporate misdeeds, backroom dealings, and extreme tax cuts that have only benefited the wealthiest people in this Nation. Due to the Bush administration's lack of government oversight, intervention and inattention, we now face the toughest economy in our lifetime.

Such neglect and inattention have led to this storm called a housing crisis, a collapse of the stock market and rising health care costs that leaves most Americans in a state of shock. In 2008, nearly 4 million jobs were lost across the Nation. In February of this year, the Greater Cleveland area unemployment rate was at a staggering 10.2 percent. The overall African-American unemployment rate is even greater, currently over 13 percent.

In these dire times, something must be done to help our Nation and our people get back on their feet. The best way to address these issues and illustrate our desire to better the lives of so many Americans is with our budget priorities for the upcoming fiscal year.

I want to thank President Obama for his thoughtful budget that signals a new era of responsibility. I want to applaud his attention to our Nation's most urgent needs, job training and job creation, health care and education.

I would like to thank him for the particular attention that this budget gives to the mental health needs of our veterans. Finally, I applaud this administration for paying attention to those that need us the most, our children and our elderly.

As the former mayor of Warrensville Heights, Ohio, and on behalf of all mayors and all local leaders, I want to focus on the administration's full funding of Community Development Block Grants. The fiscal year 2010 budget provides $4.5 billion to fully fund this program.

As legislators, our number one priority is to get ourselves out of this current economic crisis. To accomplish this, we must look to programs that help improve and grow our economy. Historically, for every $1 of funding through a Community Development Block Grant, nearly $3 is leveraged for economic development projects.

When a city needs a grocery store or more affordable housing, this block grant funding is utilized and helps build neighborhoods. This is one of the few programs where the money goes directly to the locality. It does not get tied up in State government or Federal affairs. The money immediately goes to the areas where local leaders can help expand economic opportunities for their local citizens.

In Cleveland, Community Development Block Grant dollars have gone to assist our housing trust fund. Every dollar of investment leverages $5 of private investment. In 2008, housing trust fund funds were committed to projects that supported nearly 700 energy efficient housing units.

This money has also gone to combat foreclosure. CDBG funds are the principal source of funds for supporting a range of activities to respond to the aftermath of foreclosures. This year, block grants can provide $300,000 for anti-predatory lending programs administered by Cleveland's Department of Consumer Affairs and other nonprofit agencies, over $400,000 for code enforcement and almost $900,000 for nuisance abatement and land reutilization on properties that are either vacant or have been through foreclosure.

Community Development Block Grant dollars will help with housing services for low- or moderate-income families. These funds are a critical source of assistance for seniors and low-income families with funding to repair their homes. This year over $2.2 million is expected to be used for home repair assistance from these funds.

This grant will also helped community-based organizations. Approximately $8 million supports a network of organizations that provide housing services, neighborhood safety programs and community outreach.

Finally, CDBG funding will help citywide services, housing and financial services such as foreclosure counseling, homeownership counseling, landlord tenant counseling and fair housing assistance. The funds also support nonprofits that offer social services such as educational programming for youth and food programs for our seniors and low-income families.

Madam Speaker, I yield to the distinguished woman and our chair, the gentlelady from California, Ms. BARBARA LEE.

Ms. LEE of California. Thank you very much. Let me thank the gentlelady from Ohio for yielding, but also for your leadership and for that very clear and powerful statement and ensuring that the Congressional Black Caucus each week has an opportunity to talk about those issues that are affecting the African-American community, communities of color and the entire country. So thank you, Congresswoman FUDGE.

There are just a couple of things I would like to say tonight on the budget. I have to acknowledge and thank the Chair of the Budget Committee for the Congressional Black Caucus, Congressman BOBBY SCOTT, who consistently each year pulls together his task force. I serve as a member of his task force to look at the overall budget and to make sure that the Congressional Black Caucus' focus is couched within the fact that historically we have been and continue to be the conscience of the Congress and that the budget reflects our values. The budget is a moral document, and it's within that perspective and lens that we look at the budget.

Let me say a couple of things with regard to the budget, specifically. As an example of what I am talking about, the HIV/AIDS pandemic is devastating the African-American community and communities of color both here and, of course, abroad, especially in sub-Saharan Africa.

We believe the time has come to really put forth a national HIV/AIDS strategy, a plan, and fund it. We also established in 1999, under the great leadership of Congresswoman MAXINE WATERS, a minority AIDS initiative. And this year we are pushing to fund that minority AIDS initiative at least at $645, $650 million. That's really a drop in the bucket, but we have to start somewhere, and we want to make sure that our tax dollars, as it relates to HIV and AIDS, are targeted and directed to where the problem is the greatest.

And, of course, we know, when you look at the statistics in the African-American community, HIV and AIDS is off the scale. So we must do more and we have to get this moving very quickly.

Secondly, I would like to just mention this defense budget. Each and every year there are a few of us who talk about the fact that we all, and as the daughter of a lieutenant colonel, I am, as I always say, a military brat, support a strong military, a strong national defense and our troops.

It's time that we look at a realistic national security budget that reflects our national security priorities, not to continue to fund many of those Cold War-era weapons systems, which are being built for a threat that doesn't exist. So we are looking at ways, and I have found in the GAO studies that have been conducted on the defense budget, there's billions of dollars in waste, fraud and abuse in the defense budget.

It's time we look at closing some of those items that GAO identified, and I believe we could get up to some $80-some billion in cuts just based on closing the items that have been identified as waste, fraud and abuse.

So there is much to look at in terms of the budget. This is a very difficult year, it's a very difficult time, given the economic recession, and so we must have a budget that reflects the values of our country, including addressing poverty in a big way.

Eight more million people now are living in poverty as a result, unfortunately, of the policies of the last 8 years. We have to begin to look at how we address these moral gaps, and that's what they were. That's what they are, the dignity of all human beings must be reflected in our budget, and that is what the Congressional Black Caucus seeks to do to ensure that every man, woman and child, not only in the Black community, but throughout the country, have support and our Federal Government policies that support their dignity and their worth.

So I want to thank Congressman BOBBY SCOTT and Congresswoman MARCIA FUDGE for their leadership on that and just know that we are working day and night to make sure that whatever budget comes out of here reflects the moral values of our country. Thank you.

Ms. FUDGE. Thank you, Madam Chair, and thank you for your leadership as well.

At this time, Madam Speaker, I would like to yield to the distinguished Member from the Virgin Islands, Representative CHRISTENSEN.

Mrs. CHRISTENSEN. Thank you. Madam Speaker, I join my Congressional Black Caucus colleagues this evening for what I consider to be one of the important, if not the most important aspects of our Federal budget, health and health care spending. I also rise, not only as a colleague and as a physician, but as a Chair of the Congressional Black Caucus Health Brain Trust, whose mission is to ensure that our community's unique health and health care issues are at the forefront as our budget process proceeds.

Finally, I rise to applaud President Obama for the steps he has taken and hopefully will continue to take to ensure that the social determinants of health are fully considered and solutions fully integrated into health care reform.

In recent years I have joined some of our other colleagues and religious leaders on the Hill to address the budget as a moral document, as you have heard our chairwoman speak to a few minutes ago, as a document that represents our country's values and our values of the people. In those years we decried the fact that the budget that was sent to Congress by the then President did not include support or in any way foster work that we are called to do by our faith, not just Christian faith but any faith, essentially to ensure that the needs of the least of these are met.

The Congressional Black Caucus, as a group, has also met with past Presidents, just as we met with President Obama 2 weeks ago. In these meetings

we outline our agenda priorities and indicate our hope for the President's support in health care, education, housing, economic opportunity, improved relationships with African and Caribbean countries and a number of other areas of concern.

Until now, neither have the goals of the religious community or the CBC, which parallel each other, even been partially approached. In fact, if it were not for the strong position taken by the Democrats in this body, and some of our colleagues on the other side who joined us, to protect them, programs like Medicaid, Head Start, Healthy Start, maternal and child health programs and many others would have been severely compromised and the lives of many of our fellow Americans with them.

We don't have to look far to remember that expanded coverage for uninsured children was impossible to accomplish until this new administration was sworn in. But change is coming. We, as a country, have reason to hope for a new and a better day. We are pleased, as we look at the outline that President Obama has sent for the year 2010, that it resonates not just with our request or that of religious leaders over the years, but that it responds to many of the long unmet needs of the American people.

It builds on the very important down payment made by the American Recovery and Reinvestment Act, which funds are already beginning to reach communities like mine across the country and provide a lifeline to families in this time of dire economic stress.

I want to spend a few minutes to focus on the health care parts of our budget, because as long as I have been in Congress, the grave differences in health care access, quality and health outcomes that have had a detrimental impact on the health wellness and life opportunities of millions of Americans every single year have been the focal issues of my efforts and those of the Congressional Black Caucus. These differences not only exist along lines of race and ethnicity, but also along lines of gender and geography.

The sad reality is this, because we as a Nation have not taken the steps necessary to close these health and health care gaps, it is estimated that 100,000 people, a disproportionate number of whom are racial and ethnic minorities, die prematurely from preventible causes every year. Additionally, because progress to address the root cause of health inequities, the social determinants of health, have been stagnant, health disparities are no longer only a racial and ethnic minority health problem. Today, they are an American issue.

This failure to improve health, to address its root causes, not only affects the health quality and lives of people of color, but undermines them for everyone in this country and weakens our country's position of leadership in the world.

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The good news, however, is that we are in a new political day, and I am extremely heartened that our new President, President Obama, is aggressively taking steps to continue work begun in the ARRA and is making a sizable commitment—to the tune of $634 billion over 10 years—on health care reform.

And so we are pleased that he is making good on his promise to ensure and improve the health and health care of those millions of Americans who have been left out and forgotten for far too long and, in doing so, to bring about meaningful and thoughtful reform to our Nation's very broken and outdated health care system.

What is more, I applaud the President's emphasis on prevention, with this budget's historic $1 billion investment in prevention, as well as the other provisions that will address social determinants that are not normally seen as health-related, an investment worth making, especially since studies confirm that roughly 60 percent of the premature deaths in the United States are attributable to social circumstances, environmental conditions, and behavioral choices, all of which could be addressed through prevention and a more holistic approach to health.

For example, we know that educational attainment has a direct and indirect impact on health and health care. Well, so does President Obama, whose fiscal year 2010 budget strengthens and reforms the Nation's public schools and expands funds for college.

We know that having access to safe and affordable housing, as well as living in communities that are structurally and socially stable, has an impact on health. The President's budget provides $1 billion for an Affordable Housing Trust Fund. He has a fund that will prevent homelessness and strengthen families. Additionally, the President's plans invests $3.2 for the Low-Income Home Energy Assistance Program to help low-income families with their home heating and cooling expenses, which will not only prevent accidents, but will also help ensure that our homes are not places that make us sick.

We also know that the foods we eat have a direct impact on our health and well-being, which is why the President's budget, which includes robust funding to expand access to nutrition programs, especially among women and children and seniors, is so critically important to support.

Further, we are impressed that this budget seems to reflect an understanding of one aspect of health disparity elimination that previous budgets and many fail to grasp, that health disparity elimination will require far more than just covering all of our Nation's uninsured, as important is that is in itself.

In fact, we know that the lack of insurance accounts for roughly only 20 percent of the racial and ethnic differences and morbidity and mortality that we hear about and experience year after year.

So, I am extremely heartened that this budget includes significant increases in funding to many of the critically important programs that are needed to ensure health equity.

For this reason, Madam Speaker and colleagues, I look forward as Chair of the Congressional Black Caucus Health Brain Trust to working with my colleagues in Congress and with the President to ensure that we reform our health care system in a manner that does not just get it done, but that gets it done right.

To that end, while this budget aptly and appropriately emphasizes reducing un-insurance, bolstering prevention, closing gaps in the health care workforce, and ensuring that our Federal programs are strengthened, I want to stress that health disparity elimination must be an integral component as well.

Not only do health disparities cause, as I said, about 100,000 preventable deaths each year; in fact, health disparities are among the key factors that drive up health care costs that we, as a Nation, struggle to contain every year.

I know that designing a health care system that addresses the social determinants of health that exacerbate health inequities will require the willing to take bold steps and the visionary leadership to ensure that more than one step is taken. However, I also know that we have both of those today—both in the administration and in this Congress.

Together, we can reform our health care system in a manner that champions health equity, and together we can make this Nation, one person and one community at a time, healthier, stronger, and better prepared for tomorrow.

I yield back the balance of my time, and I thank you for taking on the challenge of this Special Order every Monday evening, and for focusing on the President's budget tonight.

There are other health and health care spending priorities set by the President in this budget that are downright long overdue.

For example, the budget enhances HIV/AIDS prevention and treatment by increasing resources to detect, prevent, and treat HIV/AIDS domestically, especially in the hardest hit communities, a disproportionate number of which are African American communities.

The President's budget sets aside $330 million to increase the number of doctors, nurses and dentists who practice in areas where there are known shortages in health professionals will play a very significant role in ensuring that whenever someone needs the services of a trained health care provider, he or she will be able to get it without having to travel 450 miles.

By investing $19 billion in health information technology, we will ensure that as we modernize our nation's health care system to maximize its efficiency, coordination and privacy, that we do so in a manner that does not create a two-tiered health care system.

This investment in HIT also will ensure that if and when another natural disaster hits one

of our cities along the coast or in one of the U.S. Territories, that survivors do not have to fear that their paper medical records will have perished in the basement of a hospital or clinic, or that their health and that of their families will be compromised because they do not have immediate access to needed health records.

The budget's $6 billion investment in cancer research—which reflects the Administration's multi-year commitment to double cancer research funding—will play a key role not only in reducing the egregious racial and ethnic disparities we see in cancer treatment, but also in cancer deaths.

And the budget's investment in Medicaid and Medicare to strengthen the programs, bolster their integrity and accountability, and expand the programs' research agendas is critically important, as these two programs play pivotal roles in ensuring that our nation's most vulnerable have access to needed health care services and treatments.

Finally, and of utmost importance to the people I represent in the U.S. Virgin Islands, President Obama signals in his budget outline his intention to move towards equity for the Territories in health and other related programs.

There are so many positive elements to this budget that indicate that we are headed in the right direction; especially as it relates to fixing our nation's health care system and that with his leadership and that of the leadership in this body we are beginning to build a health care system for the 21st century and beyond.

For this reason, Madam Speaker and colleagues, I look forward—as the Chair of the CBC Health Braintrust—to working with my colleagues in Congress and with the President to ensure that we reform our health care system in a manner that does not just get it done, but that gets it done right.

To that end, while this budget aptly and appropriately emphasizes reducing un-insurance, bolstering prevention, closing gaps in the health care workforce and ensuring that our federal health programs are strengthened, I want stress that health disparity elimination must be an integral component as well.

Not only do health disparities cause about 100,000 premature preventable deaths each year, but in fact, health disparities are among the key factors that drive up the health care costs that we—as a nation—struggle to contain each year.

Ms. FUDGE. Thank very much. Madam Speaker, I would like to thank the gentlelady from the Virgin Islands, who is always, in our caucus and in this Congress, a leading advocate for health care reform. I thank her.

At this time I would yield to the distinguished Member from the State of Virginia, Mr. ROBERT ''BOBBY'' SCOTT.

Mr. SCOTT of Virginia. Thank you. Madam Speaker, I thank the gentlelady from Ohio for organizing this Special Order. The budget is an extremely important part of our work, and I thank you for allowing us the opportunity to discuss what is going on with the budget.

Before we can discuss the budget going forward, we have to understand where we are and the mess that we are in. Sometimes you need charts to adequately describe exactly what the situation is.

This is a chart from 1989 showing the budget deficit. Starting in 1993, we went up to surplus. Unfortunately, in 2001, we had a complete collapse of the budget. 2008, the deficit will be about here. A little over $400 billion. 2009, it will literally be off the chart. So, this is what we are dealing with.

In 1993, we made the tough choices and eliminated the deficit, went into surplus, and had enough in the beginning of 2001, enough of a surplus to pay Social Security for 75 years without reducing any benefits or to pay off the entire debt held by the public by last year. We were in good shape financially in 2001, but we made the wrong choices. And the rest is history.

The deterioration in the budget from the $5.5 trillion surplus to the probably $3 trillion, maybe $4 trillion deficit, was a swing of almost $9 trillion. Almost $1 trillion a year deterioration in the budget.

This chart shows where the public debt has exploded. In 2001, we were headed by the budget projections to paying off not only the debt held by the public, but all of the debt; putting the money back in the trust funds and everything else. Instead, the debt has totally exploded.

Now, one of the problems with the debt is that more and more of it is coming from foreign countries. Primarily, Saudi Arabia, Japan, and China. And that has foreign policy implications. You can't negotiate a good trade deal when the next thing out of your mouth is, Can I borrow some money? When you're borrowing money from Saudi Arabia, obviously that has implications on our ability to negotiate gasoline and oil prices.

The debt held in foreign countries was headed towards zero. It has, again, exploded. Now we have over $2 trillion of our debt held in foreign countries.

Now, we got in this mess because we had unaffordable tax cuts, primarily for the wealthy. People get mad when you say ''primarily for the wealthy,'' but it was done, presumably, to create jobs.

This chart shows how, in the last 8 years, in terms of job growth, we have experienced the worst job growth since the Great Depression. Herbert Hoover is the only President on this chart who's done worse than the last 8 years.

There's very poor economic activity, as measured by the Dow Jones Industrial Average. This chart shows the Dow Jones Industrial Average from Hoover, Franklin, Roosevelt, Truman, Eisenhower, Kennedy, Johnson, Nixon, Ford, Carter, Reagan, Bush, Clinton. The worst since Herbert Hoover in terms of Dow performance in the last 8 years.

Now, some people have said that all those tax cuts actually increased revenues. Well, that is not exactly true. Since 1960, this chart, just to break down the color code, a green bar is a year in which we achieved record revenues in individual income tax. Record revenues. A red bar is one where a record was not achieved.

You will notice since 1960, tax cuts, tax increases, recessions, depression; everything since good years, bad years, since 1960, there were only 2 years in which we did not achieve a record. So, to say that we had additional revenues wouldn't be saying much, because we always have revenues.

But it's even worse than that because in 2001 we did not achieve a record. 2002, 2003, 2004, 2005. We went 5 consecutive years, something that has not happened since they started taking records in the 1930s, did you go more than 2 years without achieving a record. You have had world wars and everything else. The record: 5 years without a record.

So, the cuts in taxes did not increase revenues. It actually decreased revenues. And, as I said, they get mad when you say the taxes were cut for the rich.

This chart shows for people under $20,000—from $20,000 to $50,000; $50,000 to $75,000; $75,000 to $100,000; $100,000 to $200,000; $200,000 to $1 million; over $1 million, how much you got out of the 2001 and 2003 tax cuts. You notice that if you made over $1 million, you did well. And if you made under $20,000, or even under $50,000, you hardly need ink to draw the bar.

There's one particular tax that, in the Obama budget, will be repealed. Put back the way was. It's about a $20 billion tax cut every year. And this is how it's distributed. If you make over $1 million, you get about $17,000. $200,000 to $1 million, you get several hundred dollars. $100,000 to $200,000; on average, you will get you will get about $1 a month. Under $100,000; on average, you will get not a dime.

Now, one of the things that is extremely important and why it is crucial that we get this budget under control, and that is I referred to Social Security. This is a Social Security cash flow chart, showing the blue bars are bringing in now more than we are paying out. In 2017, we will start paying out more than we are bringing in.

This is $200 billion deficit, a $600 billion deficit. By 2040, we will be approaching $1 trillion, paying out more Social Security than we are bringing in. If we had the $5.5 trillion, you needed about $4 trillion in the bank today, drawing interest. We could pay Social Security for 75 years without reducing benefits.

Unfortunately, we are going broke, and this is one of the reasons we have to get our budget under control quickly, because otherwise we will get into a deficit situation in Social Security that we will never get out of.

One of the things that we have to do is make sure that the expenditures and tax revenues get back under control. Federal revenues traditionally, in the past, have been less than the expenditures. We have been spending more than we are bringing in. That is deficit spending.

By the mid 1990s, we actually reduced spending and increased revenues, to the point where we had that healthy surplus that was set to go as far as the eye

could see. Unfortunately, in 2001, we passed tax cuts that we could not afford, collapsing revenues and, in fact, even increased as a percentage of GDP, increased spending, creating this deficit. We have to get back under control where the revenues are more than the expenditures.

This year, we are out of control because we have had the stimulus package, we have had the bailouts, and everything. But this is just a 1-year spike. And we need to get the budget back under control. And we can do that. Under the Obama budgets, we will be back into more traditional levels of deficits.

But, when we get down here, that should not be the end. That is just the first step. We are going to have to continue bringing spending down and revenues up so that we will have our surplus so that we will be able to afford Social Security.

The President's budget, the first thing it does is reinstates what is called PAYGO. One of the reasons that we could maintain fiscal responsibility in the 1990s is we had a process called PAYGO. Pay as you go. If you offer a spending program, you have to pay for it. You have to raise the taxes to pay for it or cut some spending somewhere else. If you want to cut some taxes, you have to cut some spending or raise some other taxes. Everything do you, have you to pay for it. And if you don't pay for it, you can't pass it.

Unfortunately, in 2001, PAYGO expired, and the tax cuts were passed without paying for it. Increased spending took place without paying for it. And we got into the ditch that we are in. We now are back under PAYGO, where we are going to have to pay for what we do.

One of the things that the Obama budget does, it presents an honest budget. There are many things in the last few budgets that were just kind of left out. We knew every year we'd been continuing some tax cuts year after year. We knew each year we'd put those back in. Those weren't in the budget as introduced.

□ 2015

The war spending. We know we are at war. There was zero for the war in Iraq and Afghanistan in the budgets as introduced. We knew we were going to spend money on those wars. In fact, there were about $250 billion worth of known expenditures that we knew we were going to spend that were left out of the budgets. The Obama budget includes everything that everybody knows that we are going to spend.

So with PAYGO and fiscal responsibility, we are going to at least reduce the deficit 50 percent in the first term of President Obama; and after we get there, we will continue to make progress.

The President's budget makes significant investments in energy, getting us from dependence on foreign oil and creating millions of jobs in energy, creating clean energy jobs. His budget brings down the skyrocketing costs of health care, and makes focused investments in education, one of the things on energy, alternative forms of energy and conservation and significant research investments.

In health care, we need to make investments in cost control to make sure that we can control health care. The Social Security chart and the Medicare chart are very similar. The Medicare chart is actually even worse because of the accelerating health care costs. We need to get those costs under control, because if we don't get Medicare under control, health care generally will consume the entire budget. We need to make sure that we are investing in access to make sure that those who have insurance can keep it, because as the costs go up, people are losing their health insurance.

He is making significant investments in education, making sure that tax credits for education expenses are increased and Pell Grants are increased so more and more people can go to college. And we want to make sure that we invest in elementary and secondary education, particularly early childhood education.

The budget makes a unique investment in nurse home visits. These have been shown to significantly reduce a lot of problems, one of which is child abuse, which is highly correlated with future crime by these nurse visits. The nurse visits have been studied. I serve on the Judiciary Committee, and they have found that those who have had the advantage of the nurse visits were one-third as likely to be arrested 18 years later as those who did not have the visits; education is much better off; child abuse is down. So those visits will be a very important investment in our future.

And, finally, the President's budgets continues large increases in veterans health care. We had significant increases 2 years ago and last year, and we will continue those increases so our veterans get the health care that they certainly have earned and deserve.

We need to make some tough choices. The President says one of the most difficult choices are making expenditures today that save money in the future. Nobody wants to spend the money today if the savings won't occur for 5 or 10 years.

One of the bills that I have introduced is the Youth Promise Act that makes investments in young people to keep them out of trouble. We are spending more money per person in incarceration. We have got more people locked up today per hundred thousand population than anywhere on Earth. We could significantly reduce the need for that correlation if we made investments up front, getting young people on the right track and keeping them on the right track. The Youth Promise Act does that. It has an interesting aspect to it. When you save money, the localities that come up with their local plans will try to identify where they are saving money, and those agencies should kick in to keep the program running.

The State of Pennsylvania did the collaborative approach that is anticipated in the Youth Promise Act, and they funded a number of programs for a total cost of approximately $60 million, $60 million, and they calculate they save over the next few years over $300 million, because they made those investments and reduced crime significantly. Nobody wants to make the first investment; so the Youth Promise Act will make those investments and, hopefully, the localities will continue the programs, saving significant money in the future.

But we have to make the tough choices. And if we don't make those tough choices, if we don't get the budget under control, we are going to be spending entirely too much money on interest in the national debt, we will jeopardize Social Security and Medicare. But with the leadership of President Obama, the Congressional Black Caucus is committed to addressing our priorities in a fiscally responsible way. Social Security, Medicare, and our future depend on it.

Again, I want to thank the gentlelady from Ohio for her leadership and giving us the opportunity to talk about the budget today.

Ms. FUDGE. Madam Speaker, I would like to thank the gentleman from Virginia, Mr. BOBBY SCOTT.

For those of us in the Congressional Black Caucus, we clearly know that Representative SCOTT is the best in the Congress when it comes to analyzing budgets and providing information to his colleagues. So, again, I thank him.

Madam Speaker, I thank you. I thank the members of the CBC for allowing me to act in their behalf tonight; as well as I want to say that we do very much appreciate the fact that we now have an administration and a President who does believe in an honest budget, who does believe in doing the things that are necessary to get this country back on track.

I yield back the balance of my time.

FISCAL RESPONSIBILITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from Illinois (Mrs. BIGGERT) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mrs. BIGGERT. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. BIGGERT. Madam Speaker, I rise tonight to call attention to our economy and the fiscal discipline we

need to implement to get our country back on the right path.

Right now, the American people are hurting; and Republicans want to work with the President to get the American people back to work. We want to get the economy going again. But we do know, and the American people know, we cannot tax, spend, and borrow our way back to a healthy economy. So we really want to be included in the opportunity to solve our problems, and this is a huge problem.

Just a couple of days ago, there was a summit held at the White House on health care, and they had Members of Congress, they had experts in the health field come together to look at how we are going to solve this problem.

The economy right now is the hugest problem that we have. Why aren't we working together and really coming together to solve this problem? We have so much expertise in this Congress. We have economists, we have people in the industry. We really should be sitting down to solve the problem, rather than going back and forth and arguing on the House floor, because our country and the international economy is suffering. And it is not the first time nor the last. We have seen crisis like this before and we have pulled through. So I am optimistic that we can get together and really work to solve the problem.

And look what happened on 9/11. We came together. We came together as a Congress, united to face that problem and to face that challenge, and to find the solutions and how we were going to deal with it. This is another problem. Not maybe as quite the magnitude; maybe it is, but we need to get together and really work together.

We face the largest economic decline since World War II, along with unprecedented domestic unemployment. February's numbers show that there was 8.1 percent unemployment. And we face unprecedented foreclosures, facing about one in nine families right now. It is time for us to unite again as leaders and pull through once more.

I wish that the administration would convene this bipartisan, bicameral summit to focus all of our energy on solving economic problems. We want to solve health care, we want to solve energy, we want to solve climate change. We want to do all of these things. We want to solve education. But I think all of that energy really needs to be brought to one force to come back and address the economic situation. We should be focusing on saving and spending plans that put America on a path to responsibility and long-term success.

With TARP money of $700 billion, a housing bill that was $300 billion, with the recent passage of the $825 stimulus package, and with the Federal Reserve putting so much money into some areas, and a pending $410 billion appropriation bill, I have to say that my constituents are upset. They are upset because the spending appears to be recklessly out of control, with no accountability or direction. And, unfortunately, with the recent release of the administration's budget for fiscal year 2010, we continue down this heavy spending path. And while we only know the basics of the budget proposal, it certainly has been a mixed bag.

So tonight we are here, and we want to address the concerns in the budget. There are the good, the bad, and what we call the ugly. I have a little chart here that addresses the President's 2010 budget. As I said, we have got the good, the bad, and the ugly.

We acknowledge that there is an entitlement crisis, that there is a budget fix for the AMT. We are looking at the Medicaid part D. With the bad, there is an increase in spending of $3.9 trillion in 2009. It increases nondefense appropriations by 9.3 percent. The war funding is a gimmick. The ugly, a $1.4 trillion tax increase in a recession, $1 trillion entitlement expansion, in the 2009 deficit, $1.8 trillion. And we double the debt.

These are the things that we are going to be discussing tonight, and I am glad to have my colleagues here to participate. I would like to call on the gentlelady from Tennessee for her comments right now, MARSHA BLACKBURN.

Mrs. BLACKBURN. I thank the gentlelady from Illinois so much for yielding, and I appreciate her yielding the time to me. And we have other members of our Republican conference who are here, female members, who are coming to talk about the issues that we know are affecting our constituents and we know are affecting women in our districts.

As the gentlelady from Illinois has mentioned, the number one thing that we do hear from our constituents, and especially our women small business owners, is their concerns over the economy; and they are concerned about the economic security, the retirement security that is in front of them as they look to winding down their careers. And they are also very concerned about what is happening for the secured opportunities of future generations and the security that they will want to enjoy.

I have a chart with me that I think says a lot about what we see happening here in Washington now as well as what is going to be coming in years to come.

Let's go back and look at the deficit. We are hearing a lot about the deficit and the data. Some of my constituents last week were saying, well, we continue to hear this comment that they inherited this debt. How could that be? Everyone has been voting on this for years.

So we made a chart looking at Federal spending going back to January 2007 through today. And, of course, in 2007 is when all of the problems really started to manifest themselves in the housing industry and leading toward the situations that we saw happening with the banks that began in early 2008, and then moving on into the budget situation that we have today. So we prepared a chart to lay out what has happened since January 2007, with our Federal deficit, which is the line that you will see in green, the graphing in green.

Then, discretionary spending, which is that portion of our budget that we actually can get into and make some decisions about how we are going to spend those dollars, and that is where we should be reducing what the Federal government spends.

Then, mandatory spending. Much of that is the entitlements which the gentlelady from Illinois just referred to mentioning very appropriately that, yes, indeed, we do have an entitlement crisis that is coming, and that is spending that is going to have to be dealt with in order for the future generations to enjoy security, whether it is economic security, whether it is freedom and opportunity.

□ 2030

Take a look at what has happened. You can see where we were in January 2007. And the debt, the Federal debt, at that point in time was right over $8 trillion. Our deficit in 2007 was just over $400 billion.

Now let's look at what happened. The first stimulus plan that was passed early last year, $152 billion, you can see what that did to the federal deficit. It really popped it up. You can also see what that did to discretionary spending. And then look at what happened with pre-TARP, the amount of money, the $300 billion, that went into those loans from March to September of 2008 when we were dealing with Bear Stearns, Fannie Mae, Freddie Mac, IndyMac and AIG. You can see what happened with our deficit, which is the green line, the discretionary spending, and the bump-ups that came there, and then you see the mandatory spending rising as we move through that. Then TARP in September 2008, you can see what happened there with the $700 billion and the escalation that has carried forth there, the auto bailout of $14 billion.

President Obama's second stimulus, we call this plan B, and that ended up being $1 trillion. You see what it did to our deficit. We are at over $2 trillion in deficit for this fiscal year so far. Also you can see what happened with our discretionary spending. And take a look at what has happened with our mandatory spending through there. And then of course the omnibus, the $410 billion omnibus bill that had passed the House and it is still in the Senate without a resolution to it.

So through all of these votes, I will highlight that the Speaker, our President who was in the Senate, and Leader REID in the Senate, all were ''yes'' votes on that. They were part of driving this deficit and these discretionary spending hikes, the mandatory spending spikes that you are seeing over there also.

And by the way, going back to January 2007, that is when the Democrats took control of both Houses, both Chambers, the House and the Senate, and started pushing forward the spending increases. And they have now moved the national debt from just over the $8 trillion that was here to nearly $11 trillion. As of January 3 of this year, the debt was at $10.7 trillion. And as I mentioned earlier, that big green spike over there is for the $2 trillion in deficit spending they have already accrued this year. And we are hearing that once they pass the $410 billion, that it is going to be even higher. And we are also hearing that they are going to come back and ask for more TARP spending.

So when I talk with females and with female-owned small businesses in my district, the number one thing that comes up is the economy. And what does this do? Knowing that political freedom and economic freedom are linked, what does this do to future generations? From the women in my district, I have heard repeatedly, they understand that we cannot spend our way out of this recession. You can't spend your way to recovery. You can't spend your way to prosperity. You can't build prosperity on a foundation of debt. And so many of our small business owners understand that. And women every single day come to me and say, Marsha, it is time for people to address these economic issues and do it with wisdom, do it with some forethought, and be very careful that we are not passing on to future generations a debt that they are unable to handle.

I was out visiting with some women's groups a couple of weeks ago. A lady came up to me. She was carrying a young infant. And I noticed this because I have a 9-month-old grandson, Jack, and I have another grandchild, Chase, who will arrive in June. And the lady walked up to me with this child in her arms. And she said, ''Marsha, I want to tell you something.'' She said, ''it absolutely infuriates me when Congress spends money I haven't made yet. But now I have got this 6-month old grandbaby. And let me tell you something. It makes me so angry. I want to come to Washington and bang on the doors because it makes me so angry that you're spending money that she has not made yet. And she doesn't even know to be upset with Congress.'' She said, ''I know you're voting 'no' on all these spending bills. Please do all you can to arrest the out-of-control spending.''

And I will yield back to the gentlelady from Illinois. I thank you for the time. And I thank you for the efforts to help work to preserve our economic freedom for future generations.

Mrs. BIGGERT. I thank the gentlelady from Tennessee. You have done so much in bringing out all of this to our attention. And I really appreciate it.

I would like to just read a paragraph from one of my constituents, a woman in the district named April. And she said, ''First, thank you for voting against the stimulus package at the beginning of February. As an independent, I am disturbed by what has happened in Washington these past few weeks. I am urging you and Members of Congress to exercise restraint when examining the President's budget and any other stimulus packages. Eliminate wasteful spending. The American people are mindful these days of their own budgets at home, and so should the Federal Government.

''In addition, what happened to the President's and other Members' promise that they would eliminate earmarks? It seems like Washington needs some management. Thank you for your time.''

And with that, I would like to call on my good friend from Florida, GINNY BROWN-WAITE.

Ms. GINNY BROWN-WAITE of Florida. I thank the gentlelady from Illinois.

Last week I had some folks in town from Florida, and they didn't get to see snow very often obviously living in Florida. And when they came here, it was about some of the tax issues. And they were darn mad, the same way that Mrs. BLACKBURN's constituents were. And when they came into my office, I said to them, ''so what do you think about the snow?'' They said, ''do you mean the snow job of the stimulus package and then the budget that the President came out with?''

These are small business owners who are very concerned about their ability to stay in business. We all know that the majority, about 80 percent of jobs created recently over the last 8 and 10 years, have been from small businesses. And they realize that they are the ones who are going to be hit very hard by President Obama's proposed tax increases.

This chart clearly shows the 2010 tax increases that are proposed by President Obama. It shows cap-and-trade, which most business people call ''cap-and-tax,'' at $646 billion increase, small businesses and investors, the red color, $635 billion tax increase, and other tax increases, about $149 billion. Now, where are those tax increases going to come from? Obviously by taxing the small business person. We have heard about how the higher tax won't affect anyone earning less than $250,000. The truth of the matter is that it is actually at the $200,000 level, that is the level at which the Obama tax increases begin to take effect for small business owners filing as singles.

My husband and I owned a few businesses. And we were always what is called a Subchapter S corporation. And a Subchapter S corporation, or a partnership, or a limited liability, LLC, at the end of the year, they take the profits, and they add it to their income, and they pay income tax based on that. Well when you combine a hoped-for profit as a Subchapter S corporation or a partnership and you add it to whatever income you may have drawn from the business or your spouse may have brought from another job, you're at the $250,000 level, very, very quickly. But if you're a single taxpayer, it is $200,000. We don't hear a lot about that. We only hear about $250,000, which to the average person sounds kind of like a lot of money. But we must remember that over 3 million taxpayers with small business income actually earn more than $250,000. That is the level at which these tax increases are going to take effect. These, again, are the people back in our districts. These are the Barbara Manzis in my district. She has a metal fabrication business. And you cannot continue to tax these job-creating small businesses out of existence.

A constituent sent me a cartoon. It happens to be the Wizard of Id. And it is someone running for office. And in this, it says, ''what are you offering the peasants in your election speech today?'' And the politician goes on to say, ''nothing they can afford to refuse. Elect me and I promise free health care, free housing, free clothing, food stamps and jobs for everybody.'' And then he asks the crowd, ''are there any questions?'' And someone yells out from the crowd, ''who needs a job?''

Well, that is exactly where we are going in this country with some of the tax policies. If everything out there is ''for free,'' and you have the President and my colleagues on the other side of the aisle saying that we need to have some people in this country just paying a little bit more, I'm sure that my colleagues forget that many of the taxpayers in these top two income tax brackets earn significant portions of that income from being a major employer. So we are going to really end up taxing those who create the jobs.

I did a telephone town hall last week in my district. And when you do a telephone town hall, you don't select just people in your own party. In my case I do it by county, county by county. And we call individuals and we try to ask them their opinion. Overwhelmingly, whether it was a Republican or a Democrat or an independent, the President's budget was not popular, nor was the stimulus package. The concern was that it really did not help small businesses. And in my district, I don't have major employers. The majority of the employers in my district are either health care, remember this is Florida, are either health care, government, or small businesses. So we are going to limit it to the previous two, because under the Obama Democrat tax plan, we are going to be putting a lot of these small businesses out of business at a time when they are struggling to stay alive in this economy.

The folks back home quite honestly don't understand how this phenomena can be, how people think that they can tax their way out of this declining economy. Because all increased taxes are going to do is make sure that the declining economy continues. And that is pretty darn sad.

We also on this chart had some figures for cap-and-trade. What cap-and-

trade is going to do, most people call it cap-and-tax, is it is going to raise taxes on small businesses. It is going to raise energy costs on small businesses and certainly on residents at a time when people are already struggling. I go home every weekend to the Fifth Congressional District. And people up there say things like, ''are you the only sane one there who is voting against this?'' I assure them that my colleagues, like the gentlelady from Illinois, the gentlelady from Tennessee and many other Members are concerned and are also voting against it. What we are going after here is trying to bring some common sense and help for small businesses.

Unfortunately, President Obama's wealth distribution plan would not even cover the increased energy costs associated with his cap-and-tax, or cap-and-trade, plan. It is really cap-and-tax plan. It is a tax plan, ladies and gentlemen.

Americans fear that we are going down the road to socialism. And I recall Margaret Thatcher's comment about socialism, and that is, the problem with socialism is that eventually you run out of other people's money. Unfortunately, with the budget that the President has proposed, the TARP spending, deficit spending, the proposed budget and the stimulus package, I believe, and I know that the gentlelady from Illinois believes, that we are headed down to a path of possible socialism.

That, my colleagues, is not acceptable. And that is not what our American economy needs at this time.

With that, I will yield back to the gentlelady from Illinois.

□ 2045

Mrs. BIGGERT. I thank the gentlelady for bringing up the tax issue. I am reminded of the words of Ben Franklin: ''In this world, nothing is certain but death and taxes.''

We certainly have to think that the President's recent budget proposals essentially, and unfortunately for American families and small businesses, can bring a certainty to the latter, and that is taxes, and increased taxes to be specific. I appreciate you bringing that up.

I have another letter from one of my constituents, Rich. He says, ''The current budget proposal is a path to nowhere, in my opinion. It will lead to a tax increase for all Americans. There should not be a carbon tax on businesses. All that will do is raise prices and cut jobs. Instead, put an incentive for businesses to lower energy. Also, why increase capital gains taxes at this time, or at any time. All that does is force businesses to go elsewhere. We need to keep the taxes where they are or lower for businesses. We need to encourage companies and people to invest in the U.S. The net effect is more profit which leads to more tax revenue for the country. Just taxing the rich doesn't work.'' And I thank Rich for that letter.

Let me talk about a couple of other taxes because I think the important financial task before Congress right now is fostering economic growth. Number one is keeping taxes on families down; and number two is helping American business stay competitive; and three, eliminate wasteful spending in Washington.

In one of my former lives I was a probate lawyer and estate lawyer. I frequently witnessed the devastating effect that the estate tax or death tax had on family-owned farms and businesses. I think that we did put a limit on that. We changed it. Since 2001, Congress passed a 10-year tax cut package that included a provision that would slowly phase out the death tax and eliminate it all together in 2010.

However, the administration budget proposes that we continue to tax, to use the estate tax at 2009 levels instead of what we should be doing and permanently zeroing out this onerous tax, this double tax. So instead of 2010 when it would have been eliminated permanently, if this passes, and you have to remember the President proposes and the Congress disposes. But if it were to happen, we would continue with a tax that taxes about 3.5 million at a 45 percent rate. That's a little lower than it has been in the past sometimes. The only good thing about it is it does bring back the step up. During these uncertain times and turbulent times, I don't think that it is time to place another tax burden on families and small businesses. It is certainly time to cut taxes and encourage businesses and families so they will be able to create jobs.

One other tax that really concerns me is the budget proposes to limit deductions for charitable contributions, and we know how much contributions have meant for this country from the time of early on in the country with all of the things that so many of these famous families did, like the Rockefellers or the Carnegies. Each year many people give contributions to charities and nonprofits. Why should we discourage this in any way, especially right now. So many people benefit from so many charities like, Catholic Charities or the Jewish Federation and all of the small charities. So I strongly believe in charitable giving and have supported many bills to encourage it instead of asking the Federal Government to do it, and that is like bringing back much more big government. So I will continue to support tax policies that encourage charitable giving.

Regarding homeownership, here we have been dealing with families and foreclosure rates and what is happening. And now the budget proposal is to limit the mortgage interest deduction. This is a direct hit to family budgets and discourages homeownership at a time when we need to encourage homeownership. It is limited. Again, it is to the higher rate taxpayer. But this again is going to trickle-down with what it does with homeownership. We need to make homeownership more affordable. Homeowners may currently deduct the interest paid on mortgages from their interest tax liability. So millions of homeowners enjoy the benefits of this deduction which does encourage homeownership through an annual tax savings. Although general support for this tax remains strong, I think it is irresponsible to slash this benefit. I support tax policies and now will yield to another one of my colleagues, the gentlewoman from Minnesota (Mrs. BACHMANN) who is here to address some of the women's issues and how we approach the budget that we are looking at.

Mrs. BACHMANN. Thank you so much for yielding. I thank the gentlewoman from Illinois (Mrs. BIGGERT). She has served long and hard on the Financial Services Committee, and I know that she shares my opinion that these are historic times and we have never seen anything quite like this in the financial services sector before.

Beginning in the housing industry, we watched the market just collapse and we saw the economy flat line and go down into the negative column, and women all over the United States started feeling very insecure. I think as mothers and women, that is very important to each one of us. It is a sense of security, not only for our own well-being but for the well-being of our children.

I know that we look at our mothers. I look at my own mother, Jean, who lives in Anoka, Minnesota. She is going to be 78 years young in just a few months, and she is very concerned as she looks at the value of her 401(k). She, like many Americans, has opened up her statement and seen that her 401(k) has dropped by 50 percent. My mother is a wonderful woman. She does samples. When you go to the grocery store and see those sample ladies, my mother is a samples lady. She has worked all of her life, but she wants to do this because she loves people and she wants to be with people.

But at 78 years of age, she may not always be able to work. And she looks at what she has worked so hard to save for. She never had a high-paying job, but my mother was extremely frugal and extremely prudent, and taught me to be the same way. There are women on fixed incomes all across the country who did the same thing. They took care of their children, raised them, scrimped and saved and clipped coupons, and now here they are, looking at their savings and seeing the value of their savings diminish before their eyes. They are very concerned, and they wonder what in the world has gotten into Congress. What in the world has gotten into this new Presidential administration. They really had high hopes for this administration, and they are looking and saying as a senior citizen, my options are limited. Maybe my husband has already passed away or my husband is infirm. What am I

going to do; I can't go out and get a job. They look at this administration, and in the name of economic stimulus, they saw that this current liberal administration has legislation that is overflowing with wasteful government spending.

And they might have heard about one of these wasteful projects. It is a brand new, billion-dollar high speed train that is going to go from Disneyland up to Las Vegas. A billion dollars of a widow's money to go to pay for a brand new ride essentially from Disneyland to Las Vegas. HARRY REID, the Senator from Nevada, was behind this measure, and it makes us wonder, is he more interested in making sure kids start gambling at younger ages?

We also see the Speaker of the House, NANCY PELOSI, she was behind passing our nearly 1,100-page stimulus bill, brought it to the floor, and not one Member of Congress was able to read that bill before we were asked to vote on it. I don't know if any other Congress was asked to pass a bigger spending bill than this bill with less time to read it, digest it, and even know what was in it. That is not something I want to go home and tell my elderly mother or tell people back in the State of Minnesota, that is Congress is here spending more money than we have ever heard of before, money we don't have, and we are spending that money without even having a chance to read the bills.

I kept my staff here until 9 at night before we were supposed to vote on the stimulus bill. I released them to go home. They had worked all day long. I kept them here until 9, hoping that the Democrats would release the bill so we would at least have a chance to read it. They went home. It wasn't until after midnight that the Democrats finally put the bill online. There was absolutely no way to read the bill. That's shameful. The American people deserve better than that.

And then we see that the President is now telling 92 percent of the American people who are currently paying their mortgages on time that it isn't enough that they pay their own mortgages, now they have to pay the mortgages of the people next door who maybe took out a home equity loan or bought more home than they can afford and got out on a limb, now 92 percent of the American people are seeing their 401(k)s disappear before their eyes, or seeing jobs disappear in their city and community. And they are being told that now it is their responsibility to pay the mortgage of 8 percent of the American people.

And now we have our second spending bill that has come before us, the largest budget that we have had for discretionary spending, $410 billion. It is an 8 percent increase from the last budget.

I hear the Obama administration telling the average American it is time for you to sacrifice. One thing I don't see is that the Federal Government is having to sacrifice. They are not sacrificing. They are increasing their spending by a whooping 8 percent on the Federal budget, and this is what we have to see for it. We are looking at a doubling of the national debt. Here we are at $5 trillion, which worried me back in 2000. And now projected going forward 2019, we are looking at a deficit north of $20 trillion. We have never seen anything like that.

In the previous hour we saw the Democrats up here speaking. And one of the charts that they had up talked about how very quickly now we are going to see Social Security spending going from having money in the bank for coming in for Social Security. Very soon we are going to go underwater and we are going to have less money coming in for Social Security than what is going out. We will be looking at having about a trillion dollars in obligations that we currently don't have money to obligate to pay for those bills. This is concerning. These are elderly, senior citizen females that are again worried about their own security. No wonder the stock market has dropped more than a thousand points since President Obama took office. No wonder more Americans are blazing mad right now, and they are saying we are not going to take it any more. So you see all across the country tea parties breaking out, people saying I can't pay these taxes any more.

Every promise that was made to the American people during the last campaign by the current Obama administration on fiscal accountability has already been broken. And we only have 45 days in this administration. Every fiscal accountability promise has been broken, and it is a travesty.

□ 2100

I called a friend of mine who is a tax accountant today; she's working really hard because all of the tax returns are going to be due now April 15. I called her to see how she's doing. And I said, tell me, what is some of the information that you're seeing; what can I tell the American people? And she told me about a tax return that she's doing. And I will close with this.

I talked about elderly ladies and their concern about security. Let me tell you about a younger female American, she's just 8 years old; lovely girl, tragic story. She was born in the year 2000, and she had a wonderful family. Her father was a great patriot who wanted to serve his country. He went to Iraq. When she was 4 years old, her father was killed serving his country in Iraq. And now this little girl is receiving money from Social Security disability payments, and she's also receiving money from the United States Defense and Accounting Service which the U.S. Military annuity pays. These are the right payments that she should be getting because of the service that her father gave to her country. But with this money that's coming into this little girl, this little 8-year-old girl is paying Federal taxes on the amount of money that she is receiving as an orphan. She's not only paying Federal taxes, she is also paying what's called alternative minimum taxes. That's how out of kilter and how drastically this government is spending your money in an out-of-control fashion, that not only is this government now going to widows for more money and increased taxes, we're even reaching into the pockets of orphans to tax them with alternative minimum tax, a tax that was meant for rich people so that rich people would not escape paying taxes. Now orphans are being subject, at very low levels, for alternative minimum tax.

I would repeat what we saw a reporter say on CNBC: ''Mr. President, are you listening to the American people?'' We cannot afford a doubling of our national debt. We cannot afford to impoverish America's widows. And we certainly can't afford to be taking money out of the pockets of orphans whose fathers were killed serving this country in the Iraq war. This must end. And the Obama administration must stop taxing the American people.

And with that, I would yield back to the gentlelady from the State of Illinois, Mrs. BIGGERT.

Mrs. BIGGERT. I thank the gentlelady from Minnesota (Mrs. BACHMANN).

I know that this is what we're hearing from I think all of our constituents about having their life savings, their retirement accounts decline. I've got a letter here from another one of my constituents saying, ''My life savings, including retirement accounts, have declined to the point where I am unsure I will ever be able to retire or make another major purchase of any kind. How many more negative Wall Street stock market losses will it take before the new administration realizes that their reckless spending without a true plan to correct the economy will destroy all of us to a point that retirees and us close to retirement may never recover from their continuous blunders?'' So I thank the gentlelady for bringing that to our attention. I appreciate it.

And now I would like to ask the gentlelady from—Wyoming. I'm sorry I messed up on a new Member's State, but the gentlelady from Wyoming, CYNTHIA LUMMIS. I'm happy that you're here.

Mrs. LUMMIS. I thank the gentlelady from Illinois for this fine session this evening.

The American people know, and particularly women in this country know, that you cannot tax and spend your way into economic prosperity; and furthermore, you cannot tax during a recession. Yet, that is what is being proposed, and those taxes will fall on you.

One of the ways in which those taxes will fall on you during this recession is through something called cap and trade. Cap and trade is a tax, so I'm going to go over and change this and add the word ''tax.'' And I want to talk

specifically about how it's going to affect family budgets.

Cap and trade is a tax that will be used to change the way that you use power—meaning electricity, oil, gas—and anything that comes from carbon—meaning oil, gas, or coal, specifically. And those sources of energy represent 50 percent of the electricity in this country, which comes from coal, and also a significant amount, of course, of our gasoline coming from oil, and natural gas, which is used to heat our homes. These all emit carbon. And in order to change the American behavior and the way that we use these carbon-emitting substances, the Obama administration proposes to tax them. It will be called a cap and trade system, which is a market-based system, but it's cleverly disguised as a market-based system because, in reality, it is a tax, a carbon tax, and it will be paid by the American consumer. So if you use electricity, if you heat or cool your home, if you drive an automobile, if you use public transportation, you will be paying this tax. And here's how it will accrue to you if you are an average household.

Gasoline is in blue on this chart, natural gas in red, electricity in green. And as you can see, the cost of these for an average household without the cap and trade tax is on the left, and the cost with cap and trade is on my right—the left of someone who would be viewing this chart. So you will see it will have a 9 percent increase for electricity in the average home, 14 percent increase for natural gas, and a 16 percent increase for gasoline in the average home.

Now, I can tell you, in my home State of Wyoming it will be much higher than that because in the winter it costs more for us to heat our homes. In the summer, admittedly, it costs less for us to cool our homes. But we consume more gasoline per family than any other State in the Union and that is because there is no public transportation in Wyoming. The distances are too far. We are the ninth largest State by land mass, and we have the smallest population in the Nation. Consequently, we can't go anywhere on public transportation; it is all automobile-based. That's why we consume more gasoline than other States, and that's why the effects of this tax will fall very heavily on people who live in rural areas, and also in areas with extreme climate changes or extreme temperature changes, places that must heat their homes in the winter and cool their homes in the summer.

So if you fall into any of those categories, you're going to see much higher expenses because all of the cap and trade taxes are going to be passed on to you. They are not going to be absorbed by the companies that are producing oil, gas and coal. However, there is going to be another impact on those businesses, and that is job loss, job loss at a time when this country is in recession, at a time when job losses are already driving us more deeply into recession. And that job loss looks like this: 2011, over 200,000 jobs lost; and each year thereafter, climbing to the year 2015, to about 1.5 million jobs lost due to this cap and trade tax. And once again, I'm going to write the word ''tax'' on this chart.

What's worse, this is being foisted on the American people in the name of climate change, in the name of global warming. And those who believe that global warming is man-made—and there are many, I would say a preponderance of people believe that climate change is man-made—believe that if Americans change their ways and consume less carbon-emitting substances, that they will be able to change climate. I learned last week in a Natural Resources Committee from an international expert on energy and climate that that is not the case, that America could cease all economic activity, that Japan could cease all economic activity, and that Europe could cease all economic activity, we could turn off our lights, we could quit using our cars, we could stay home, we wouldn't work, the factories would shut down, in all three of those large economies and it is not going to have one iota of influence on the amount of carbon in the atmosphere unless China, Russia and India change their climate policies.

China desperately wants each person in their economy to have a light bulb in their home. That is their goal, a light bulb in every home. And in order to put a light bulb in every home in China they are building one new coal-fired plant a week, and they will have to continue to do so for a very long period of time. No one can blame China for wanting a higher standard of living for every person in their country, and no one can fault them for wanting them to do it with resources they have—like coal, oil and gas—and for wanting to do it with the cheapest source, hydroelectric and coal. Consequently, the costs that will be borne by the American consumer are going to have not one single effect on carbon emissions in this atmosphere. That's where rational thinking goes out of the way and the American consumer foots the bill.

I want to close—and I thank the gentlelady from Illinois—I want to close with this thought: You can't tax and spend your way out of a recession. And taxes during a recession is the absolute worst consequence on a family in America in the 21st century with these problems.

Mrs. BIGGERT. I thank the gentlelady from Wyoming. Thank you for your expertise on this issue. I think that you've really been able to bring new thoughts on this and really put it very succinctly in what's happening in this. And next we have to deal with nuclear energy, too, and really continue to build that up. So I thank you for doing that.

And next we have the gentlelady from North Carolina, who you see on the floor a lot. She provides us with so much knowledge, the gentlelady from North Carolina, VIRGINIA FOXX.

Ms. FOXX. Well, I want to thank my colleague, Mrs. BIGGERT, from Illinois for organizing this Special Order tonight and bringing together a group of—those who have already spoken—exceptional women who have shared their expertise with us tonight.

I have a quote that I want to use, it's from Pericles, from 430 BC. Pericles said, ''Just because you do not take an interest in politics doesn't mean politics won't take an interest in you.'' And I think what all of us have been trying to communicate tonight is that there's a lot happening that needs to be shared with the American people. And many people, particularly women, every day are going to work, doing their jobs, coming home, taking care of their families—be it their nuclear family or their extended family—and many don't have time to get involved a lot in the political life. March is Women's History Month, and I think it's important that we talk about the role of women in our culture and how what's happening here is going to have an impact on them.

We don't have a lot of time left tonight, but I do want to say that I share with my colleagues the concerns that they've expressed in terms of how raising taxes during a recession is the wrong thing to do, how raising taxes on energy is the wrong thing to do, how raising taxes on small businesses—the engines of job creation—is the wrong thing to do, how raising taxes on investments instead of encouraging economic growth is the wrong thing to do, limiting tax incentives for charitable giving is the wrong thing to do. And I could go on and on about what's wrong with the budget that President Obama has submitted, and which it looks very likely that this Democratic Congress is going to endorse.

□ 2115

What we need to be doing in our culture and in our country is to be promoting job growth, promoting economic recovery, and yet everything that's being done seems to be wanting to drive down the economy and harm the economy and the American people. It is a very difficult thing to deal with when you see that happening and you know that's the impact of what's happening, whether it is designed to be that way or not.

Today someone gave me an excellent article from National Journal of March 7 by Clive Crook, the title of which is ''The End of the American Exception?'' And he goes through this and talks about how it appears as though the present administration is trying to take us to the place that Europe is right now and compares us to France. I will submit this article in its entirety tonight.

Again, I applaud my colleagues for the work that they have done tonight. I think we have just scratched the surface in what we need to be presenting

to the American public, especially American women.

Right now 59.3 percent of our labor force is made up of American women over the age of 16. There are 71 million of them working. They are 46 percent of the total labor force and projected to account for 47 percent of the labor force in 2016. They are also projected to account for 49 percent of the increase in the total workforce. They're doing a tremendous job for us in this country, but they're going to be hit by this. And many of them are not participating in politics. They're not able to because of the demands of their jobs and their families. But I think it's important that we point these items out to them, and I hope we will be doing another Special Order this month so we can do more by way of educating people about the effects of this budget on the average American family.

And with that, I yield back to my colleague from Illinois, who has done such a great job tonight.

[From the National Journal, March 7, 2009]

THE END OF THE AMERICAN EXCEPTION?

(By Clive Crook)

During PBS's NewsHour With Jim Lehrer last Friday, the program's resident pundits, David Brooks and Mark Shields, had an interesting exchange about President Obama's first budget. They agreed that the administration aimed to be ''transformative''—and Brooks conceded, ''I think we all want that.'' The real question, he said, is how transformative.

Brooks: ''The debate will be over the nature of it: If it's a transformative relationship that basically keeps the American model with repair, you'll get a lot of people in the center for it. If it's a transformative relationship that turns us into France, with a consumption tax and a much bigger federal government, you will not.''

Shields: ''That's a straw man, turning it into France. That's not the case.''

Is it really a straw man? I was hoping that Brooks would press Shields to say what exactly it is about France he objects to, what makes him recoil at the parallel. Where has France gone too far, in the view of an American liberal?

Presumably, liberals approve of the universal health care, the generous and extensive welfare state, the comprehensive worker protections, the stricter regulation, the vastly more-generous subsidies for higher education, the stronger unions, the higher taxes, and especially the higher taxes on the rich. At least I assume they do, since they advocate all of those policies for the United States. Have I left something out?

As far as social and economic policies are concerned, Democrats really ought to be holding up France (or maybe Italy or Germany) as the model to which they aspire. The fact that they do not—that they even deny the validity of the comparison—seems revealing. No doubt it is partly a matter of tactical calculation. The idea that the United States should model itself on any other country, rather than offer itself as the model for the world, would be new to most American voters and would take some getting used to. But I do not think it is just that.

Perhaps some liberals privately long to make the United States over in the image of France, but the great majority, I imagine, are more interested in taking the things they regard as best in the European economic model—all the things I just listed—and combining those ''socially enlightened'' policies with the traditional economic virtues of the United States. Take French social policies and welfare-state institutions and add them to the American work ethic, spirit of self-reliance, and appetite for change. Et voilà, the best of both worlds.

Color me skeptical. Culture shapes institutions and vice versa. Culture—that bundle of traits of self-reliance, self-determination, innovation, and striving for success—underpins the American exception. To state the obvious, it helps explain why this country has a markedly different form of capitalism than Europe, based on smaller government and lower taxes.

In ordinary times, this culture makes it hard for a government to push the United States in a European direction: Voters push back against bigger government and higher taxes. But now, maybe, the time is ripe. This unusually severe economic crisis has called American capitalism into question, highlighting its weaknesses and making it easier to forget its strengths. Liberalism has a rare opportunity. And just as this opportunity has arisen, American liberals also have, in Barack Obama, a remarkably popular and appealing leader to press the advantage.

But the interaction between culture and institutions works both ways. Change the system and, with time, you will change the culture. How much you will change it is debatable, and so is whether change of that kind would be good, bad, or indifferent for the country's economic and political prospects. But it would be an error to assume that the policy transformation that some liberals long for—and which Obama, if his budget is any guide, appears to be aiming for—would leave America's unusual cultural traits unaffected.

I had better declare an interest on this question of good, bad, or indifferent. As you may recall, I am a Brit who lives in the U.S. Politically speaking, I think of myself as an old-fashioned English liberal, a comically outmoded orientation that has little or no voice in modern European or American politics. In U.S. terms, you get a sense of where I stand if you think ''liberal on social issues, conservative on economic issues'' (but with exceptions; so do not hold me to that).

To put it mildly, I admire this country's instinctive suspicion of concentrated state power; its anti-collectivism, its veneration of the individual spirit and individual enterprise. At different times and in different ways, Democrats and Republicans alike have been at war with aspects of that mind-set, but as an admiring foreigner; I am here to tell you that this culture survives, that the American exception is alive and well, and that it is more than likely the secret of this country's awesome success.

If I were a citizen with a vote—as one day, immigration authorities permitting, I hope to be—I would need to think long and hard before casting it for ''transformation.'' Repairs here and improvements there, of course, but transformation? It would be a shame to see America revert to the Western European norm. It would mean I bad wasted a trip, for one thing, and I am not sure where I would go next.

Brooks's invoking France as a possible destination for Obama's social experiment does seem far-fetched. But the staggering breadth of Obama's ambition makes it reasonable to ask where all this is heading. Thoroughgoing health care reform would have been a bold undertaking by itself, one for which there is broad centrist support. But the budget and the fiscal stimulus also call for wide and ongoing commitments to public investment.

Obama is fond of saying that the question is not big government or small government, but what works. The fact is, whether his programs work or not, taken together they represent the biggest and fastest expansion of government since the New Deal. Moreover; the tax increases to pay for this expansion, he says, are to fall entirely on high-earning households. So his plan to enlarge government is married to an uncompromising assault on economic inequality.

And if all of this is not enough to remind you of Europe, Obama has also expressed strong support for the Employee Free Choice Act, arguing that bigger and stronger unions are a vital part of sharing prosperity more widely. To somebody who watched unions cripple the British economy, until voters elected Margaret Thatcher to sweep them away, this is the part of Obama's program that seems most in need of an international reality check.

This promised transformation is not a move into unexplored territory, after all. The policies that Obama is proposing have all been tried elsewhere. Ideas that look bold and new in this country are old hat across the Atlantic. And we know something about how well they work.

A strong case can be made for many of Obama's proposals, taken one at a time. I admire his ambition to mend the country's failing, unjust, and needlessly expensive health care system. I also applaud his focus on raising the incomes of the working poor, through tax cuts and wage subsidies (such as his ''make work pay'' tax credits). But tradeoffs need to be faced. A good hard look at Europe makes this plain.

Bigger government requires higher taxes—in the end, for most taxpayers and not just the rich. Europe shows that tax systems tilted too far against high earners stifle the incentives that spur economic growth. Welfare systems that are more generous and have fewer strings tend to raise unemployment. Stricter regulation can and does retard innovation. Stronger unions can raise unemployment and, in the aggregate, lower incomes.

The president cannot be accused of misleading voters. For the most part, he is planning to push through the policies he advocated during the election—policies that the country voted for. His apparent determination to keep his word is unusual, and a little startling, but this is more a criticism of other politicians than of him. Although he cannot be accused, not yet, of breaking promises, I think it is fair to ask whether he has thought through the implications of his agenda taken as a whole. His style of explanation, or salesmanship if you prefer, is heavy on pragmatism and on mending one thing at a time. But the breadth of his program, and the connectedness of his ideas, belie that modest stance.

As the president said during his Inaugural Address, ''It has been the risk takers, the doers, the makers of things . . . who have carried us up the long, rugged path toward prosperity and freedom.'' That is a very American sentiment. It is fair to ask what the full scope of Obama's transformative agenda implies for the risk takers, the doers, and the makers of things. Aside from higher taxes if they succeed, obviously.

Mrs. BIGGERT. I thank the gentlewoman from North Carolina, who has been such an outstanding spokesman for, I think, the women on our side of the aisle, and I appreciate all that she has had to say.

Let me just kind of return to kind of the thought that I had when we started this Special Order. I think that we really do still have to recognize that the American people are hurting. It doesn't matter if they are low income,

middle income, or high income. We have to call attention to our economy and the fiscal discipline that we need to implement to get this country back on the right track. Not only are our people suffering but our country is suffering and so is the international economy, and I think that we really need to work together.

As I said before, we want the President and the administration to succeed. We need to find the solution to the problems that we face in this country and our economy, and I think that we stand here ready and willing to help. But we have to do it right. We have to make it happen. And I think that's when we'll all work together, and I would hope that there would be some sort of a summit where we really focus. I think that we are spread out in this first 6 weeks, 7 weeks of an administration in what has been happening in health care and the economy and education and energy and sciences and all the things that we are trying to do at once. I think we need to focus that energy on solving the problems of the economy.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ABERCROMBIE (at the request of Mr. HOYER) for today and until 5 p.m. on March 10.

Mr. RODRIGUEZ (at the request of Mr. HOYER) for today on account of death in the family.

Mr. STARK (at the request of Mr. HOYER) for today on account of medical reasons.

Mr. LUCAS (at the request of Mr. BOEHNER) for today on account of family business.

Mr. GARY G. MILLER (at the request of Mr. BOEHNER) for today and the balance of the week on account of medical reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCMAHON) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. POE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 5 minutes, today, March 10, 11 and 12.

Ms. ROS-LEHTINEN, for 5 minutes, March 16.

Mr. POE of Texas, for 5 minutes, March 16.

Mr. MCHENRY, for 5 minutes, today, March 10, 11 and 12.

Mr. JONES, for 5 minutes, March 16.

Mr. INGLIS, for 5 minutes, March 16.

Mr. BROUN of Georgia, for 5 minutes, March 10 and 11.

ENROLLED BILL SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 38. An act making further continuing appropriations for fiscal year 2009, and for other purposes.

ADJOURNMENT

Mrs. BIGGERT. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, March 10, 2009, at 10:30 a.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

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

798. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Famoxadone; Pesticide Tolerances [EPA-HQ-OPP-2007-1192; FRL-8400-9] received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

799. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fluazifop-P-butyl; Pesticide Tolerances [EPA-HQ-OPP-2008-0066; FRL-8401-1] received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

800. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Propoxycarbazone; Pesticide Tolerances [EPA-HQ-OPP-2008-0065; FRL-8400-4] received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

801. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Tebuconazole; Pesticide Tolerances [EPA-HQ-OPP-2005-0097; FRL-8399-3] received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

802. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Chlorothalonil; Pesticide Tolerances [EPA-HQ-OPP-2007-1106; FRL-8402-7] received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

803. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Dimethomorph; Pesticide Tolerances [EPA-HQ-OPP-2008-0258; FRL-8401-6] received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

804. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Savannah River, Savannah, GA [USCG-2008-0352] (RIN: 1625-AA87) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

805. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Savannah River, Savannah, GA [USCG-2008-0353] (RIN: 1625-AA87) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

806. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Savannah River, Savannah, GA [USCG-2008-0361] (RIN: 1625-AA87) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

807. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Saftey Zone; St. Thomas Harbor, Charlotte Amalie, USVI. [Docket No.: USCG-2007-0162] (RIN: 1625-AA00) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

808. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Savannah River, Savannah, GA [USCG-2008-0382] (RIN: 1625-AA87) received February 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

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. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 1262. A bill to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, and for other purposes; with an amendment (Rept. 111–26). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BILBRAY (for himself, Mr. SCHIFF, Mrs. BONO MACK, Mrs. DAVIS of California, Mr. FILNER, Mr. HUNTER, Mr. ISSA, Mr. SHERMAN, and Mr. RADANOVICH):

H.R. 1382. A bill to provide assistance for ultra efficient vehicles under the advanced technology vehicles manufacturing incentive program; to the Committee on Energy and Commerce.

By Mr. COLE:

H.R. 1383. A bill to provide that, for purposes of certain Government facilities, the rate at which a Federal employee earns compensatory time for irregular or occasional overtime work shall be increased so as to permit greater parity with rates of overtime pay; to the Committee on Oversight and Government Reform.

By Mr. PRICE of Georgia:

H.R. 1384. A bill to amend part B of title XVIII of the Social Security Act to remove

limiting charges under the Medicare Program for non-participating physicians with beneficiary notice and to preempt State laws that prohibit balance billing; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN of Virginia (for himself, Mr. RAHALL, Mr. WITTMAN, Mr. CONNOLLY of Virginia, Mr. GRIJALVA, Mr. PERRIELLO, and Mr. SCOTT of Virginia):

H.R. 1385. A bill to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe; to the Committee on Natural Resources.

By Mr. FILNER:

H.R. 1386. A bill to amend section 1011 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173) to make permanent the program of Federal reimbursement of emergency health services furnished to undocumented aliens; to the Committee on Energy and Commerce.

By Mr. HODES (for himself, Mr. TOWNS, and Mr. CLAY):

H.R. 1387. A bill to amend title 44, United States Code, to require preservation of certain electronic records by Federal agencies, to require a certification and reports relating to Presidential records, and for other purposes; to the Committee on Oversight and Government Reform.

By Mrs. MCCARTHY of New York (for herself, Mr. GEORGE MILLER of California, Mr. SESTAK, Mr. HARE, Mr. ANDREWS, Mr. TONKO, Mr. POLIS, Ms. HIRONO, Mr. GRIJALVA, Mr. SABLAN, Mr. KILDEE, Mr. HINOJOSA, and Mr. COURTNEY):

H.R. 1388. A bill to reauthorize and reform the national service laws; to the Committee on Education and Labor.

By Mr. ACKERMAN:

H.R. 1389. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit for taxes paid on earnings reinvested and lost in a fraudulent investment scheme; to the Committee on Ways and Means.

By Mr. BUCHANAN:

H.R. 1390. A bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of budget authority, and for other purposes; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GINGREY of Georgia:

H.R. 1391. A bill to direct the Federal Trade Commission to revise the Telemarketing Sales Rule to explicitly prohibit the sending of a text message containing an unsolicited advertisement to a cellular telephone number listed on the national do-not-call registry; to the Committee on Energy and Commerce.

By Mr. GENE GREEN of Texas (for himself, Mr. WHITFIELD, Mr. ROSS, Mr. TOWNS, Ms. DEGETTE, Mr. ROGERS of Michigan, Ms. SUTTON, Mr. GORDON of Tennessee, Mr. TERRY, and Mr. HALL of Texas):

H.R. 1392. A bill to amend title XVIII of the Social Security Act to ensure more appropriate payment amounts for drugs and biologicals under part B of the Medicare Program by excluding customary prompt pay discounts extended to wholesalers from the manufacturer's average sales price; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HINOJOSA:

H.R. 1393. A bill to amend the Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 2000 to authorize additional projects and activities under that Act, and for other purposes; to the Committee on Natural Resources.

By Mr. INSLEE (for himself and Mr. SARBANES):

H.R. 1394. A bill to amend the National and Community Service Act of 1990 to establish the Clean Energy Corps to mobilize young people to promote energy conservation and mitigate threats to the environment; to the Committee on Education and Labor.

By Mr. KLINE of Minnesota (for himself, Mr. MCKEON, Mr. HASTINGS of Washington, Mr. COLE, Mr. CALVERT, Mr. PAUL, and Mr. MCCLINTOCK):

H.R. 1395. A bill to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act; to the Committee on Education and Labor.

By Mr. LEWIS of Georgia (for himself and Mr. FILNER):

H.R. 1396. A bill to improve the safety of motorcoaches, to allow a credit against income tax for the cost of motorcoaches complying with Federal safety requirements, for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, Ways and Means, and Small Business, 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 Mrs. LOWEY (for herself, Mr. BISHOP of New York, Mr. ISRAEL, Mr. KING of New York, Mr. ACKERMAN, Mr. MEEKS of New York, Mr. CROWLEY, Mr. NADLER of New York, Mr. WEINER, Ms. CLARKE, Ms. VELÁZQUEZ, Mr. MCMAHON, Mrs. MALONEY, Mr. RANGEL, Mr. SERRANO, Mr. ENGEL, Mr. HALL of New York, Mr. TONKO, Mr. HINCHEY, Mr. MCHUGH, Mr. ARCURI, Mr. LEE of New York, Mr. HIGGINS, Mr. MASSA, Mrs. MCCARTHY of New York, Mr. MAFFEI, and Ms. SLAUGHTER):

H.R. 1397. A bill to designate the facility of the United States Postal Service located at 41 Purdy Avenue in Rye, New York, as the ''Caroline O'Day Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. MATHESON (for himself, Mr. UPTON, Mr. BOREN, Mr. SESSIONS, Mrs. BLACKBURN, Mr. ABERCROMBIE, Mr. ROSS, and Mr. CUELLAR):

H.R. 1398. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to nutrition labeling of food offered for sale in food service establishments; to the Committee on Energy and Commerce.

By Mr. MCHUGH:

H.R. 1399. A bill to amend the Food Security Act of 1985 to support State and tribal government efforts to encourage owners and operators of privately held farm, ranch, and forest land containing maple trees to make their land available for access by the public for maple-tapping activities under programs administered by States and tribal governments; to the Committee on Agriculture.

By Mr. MCHUGH:

H.R. 1400. A bill to amend title 39, United States Code, to make cigarettes and certain other tobacco products nonmailable, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. SARBANES (for himself, Mr. HARE, Mrs. DAVIS of California, Mr. LOEBSACK, Mr. WILSON of Ohio, Mr. MOLLOHAN, Mr. ROTHMAN of New Jersey, Ms. SUTTON, Mr. BRALEY of Iowa, Mr. SIRES, Mr. ARCURI, Mr. PERLMUTTER, and Ms. DEGETTE):

H.R. 1401. A bill to create a service corps of veterans called Veterans Engaged for Tomorrow (VET) Corps focused on promoting and improving the service opportunities for veterans and retired members of the military by engaging such veterans and retired members in projects designed to meet identifiable public needs with a specific emphasis on projects to support veterans, including disabled and older veterans and retired members of the military; to the Committee on Education and Labor.

By Mr. SPACE (for himself, Ms. DEGETTE, Mr. TERRY, Mr. CASTLE, Mr. MANZULLO, and Mr. BRALEY of Iowa):

H.R. 1402. A bill to catalyze change in the care and treatment of diabetes in the United States; to the Committee on Energy and Commerce.

By Mr. WOLF:

H.R. 1403. A bill to amend the Richard B. Russell National School Lunch Act to require schools participating in the school lunch program under such Act to donate any excess food to local food banks; to the Committee on Education and Labor.

By Ms. ROS-LEHTINEN (for herself, Mrs. MALONEY, Mr. BILIRAKIS, Ms. BERKLEY, Mr. WEXLER, Mr. CAPUANO, Mr. ROSKAM, Mr. SESTAK, Mr. BROWN of South Carolina, Ms. KOSMAS, Mr. CROWLEY, Mr. LEWIS of Georgia, Mr. PALLONE, Mr. WILSON of South Carolina, Ms. WATSON, Mr. HOLT, Mr. SARBANES, Mr. LINCOLN DIAZ-BALART of Florida, Mr. FALEOMAVAEGA, Mr. MARIO DIAZ-BALART of Florida, Mr. KENNEDY, and Ms. FOXX):

H.J. Res. 39. A joint resolution recognizing the 188th anniversary of the independence of Greece and celebrating Greek and American democracy; to the Committee on Foreign Affairs.

By Mr. CASTLE (for himself, Mr. GEORGE MILLER of California, and Mr. MCKEON):

H. Res. 222. A resolution congratulating the National Assessment Governing Board on its 20th Anniversary in measuring student academic achievement; to the Committee on Education and Labor; considered and agreed to.

By Mr. SULLIVAN (for himself and Mr. BOREN):

H. Res. 223. A resolution honoring the life, achievements, and contributions of Paul Harvey, affectionately known for his signature line, ''This is Paul Harvey. . . Good Day''; to the Committee on Oversight and Government Reform.

By Mr. GORDON of Tennessee (for himself, Mr. HALL of Texas, Mr. LIPINSKI, and Mr. BAIRD):

H. Res. 224. A resolution supporting the designation of Pi Day, and for other purposes; to the Committee on Science and Technology.

By Mr. GINGREY of Georgia:

H. Res. 225. A resolution amending the Rules of the House of Representatives to require that general appropriations for military construction and veterans' affairs be considered as stand-alone measures; to the Committee on Rules.

By Mr. HOLT (for himself, Ms. ROS-LEHTINEN, Mr. MCGOVERN, Mr. WOLF, Mr. CAO, Mr. ELLISON, Mr. MARKEY of Massachusetts, Mr. KUCINICH, Ms.

NORTON, Mrs. LOWEY, Mr. BERMAN, Ms. BALDWIN, and Ms. SCHAKOWSKY):

H. Res. 226. A resolution recognizing the plight of the Tibetan people on the 50th anniversary of His Holiness the Dalai Lama being forced into exile and calling for a sustained multilateral effort to bring about a durable and peaceful solution to the Tibet issue; to the Committee on Foreign Affairs.

By Mrs. MALONEY (for herself, Mr. BILIRAKIS, Mr. MCGOVERN, Mr. SARBANES, Ms. ROS-LEHTINEN, Mr. SPACE, Mr. SESTAK, Mr. PALLONE, Mr. BROWN of South Carolina, Ms. TSONGAS, and Mr. WEXLER):

H. Res. 227. A resolution recognizing and appreciating the historical significance and the heroic human endeavor and sacrifice of the people of Crete during World War II and commending the PanCretan Association of America; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

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

H.R. 22: Mr. ARCURI, Ms. SPEIER, Mr. COHEN, Mr. MORAN of Kansas, Mr. GUTIERREZ, Mrs. DAHLKEMPER, Mr. CONNOLLY of Virginia, Mrs. MCCARTHY of New York, Mr. LIPINSKI, Mr. ROSS, Mr. MORAN of Virginia, and Ms. HIRONO.

H.R. 23: Mr. BOCCIERI, Mr. MITCHELL, and Mr. LATTA.

H.R. 59: Mr. DAVIS of Illinois.

H.R. 131: Mr. SESTAK and Mr. SCALISE.

H.R. 154: Mr. THOMPSON of Pennsylvania, Mr. SIMPSON, and Mr. BURTON of Indiana.

H.R. 155: Mr. SCHOCK and Mr. BURTON of Indiana.

H.R. 205: Mr. DEAL of Georgia.

H.R. 211: Mrs. TAUSCHER, Mr. PRICE of North Carolina, Mr. LINCOLN DIAZ-BALART of Florida, Mr. KING of New York, Mr. ROGERS of Michigan, Mr. SNYDER, Mr. PETRI, Mr. MARKEY of Massachusetts, Mr. SPACE, Mr. BLUMENAUER, Mr. SHULER, Mr. LEVIN, and Mr. WELCH.

H.R. 235: Mrs. DAVIS of California, Mr. DOYLE, Mr. PLATTS, Mr. MCINTYRE, Mr. BARTLETT, Ms. TITUS, Ms. BALDWIN, Mr. RADANOVICH, Mr. HASTINGS of Florida, Mr. TIM MURPHY of Pennsylvania, Mr. BOOZMAN, and Mr. BRALEY of Iowa.

H.R. 270: Mr. WESTMORELAND, Mr. YOUNG of Florida, Mr. TEAGUE, Mr. MINNICK, and Mr. GORDON of Tennessee.

H.R. 275: Mr. GRAVES.

H.R. 301: Mr. POSEY.

H.R. 302: Mr. WESTMORELAND.

H.R. 303: Mr. FORBES, Mr. TEAGUE, Mr. TIAHRT, and Mr. INSLEE.

H.R. 305: Mr. WELCH and Mr. BRADY of Pennsylvania.

H.R. 367: Mrs. CHRISTENSEN.

H.R. 422: Mr. LEWIS of Georgia.

H.R. 444: Mr. BISHOP of New York, Mr. DOGGETT, and Mr. LINCOLN DIAZ-BALART of Florida.

H.R. 450: Mr. MCHENRY and Ms. FOXX.

H.R. 476: Mr. JOHNSON of Georgia, Ms. CLARKE, Mr. DAVIS of Alabama, and Mr. LEWIS of Georgia.

H.R. 479: Mr. BUTTERFIELD.

H.R. 484: Mr. LATTA.

H.R. 517: Mr. MILLER of North Carolina.

H.R. 564: Mr. MORAN of Virginia, Mr. MCDERMOTT, Mr. HINCHEY, Mr. WAXMAN, and Mr. CONNOLLY of Virginia.

H.R. 622: Mr. MINNICK.

H.R. 624: Mr. DOGGETT.

H.R. 669: Mr. DEFAZIO, Mr. FARR, and Mr. KAGEN.

H.R. 673: Ms. ROS-LEHTINEN.

H.R. 707: Mr. PAULSEN, Mr. TIAHRT, Mr. GUTHRIE, and Mr. BOUSTANY.

H.R. 708: Mr. LUETKEMEYER, Mr. CANTOR, Ms. BORDALLO, Mr. CALVERT, Mr. GOODLATTE, Mr. BARTON of Texas, Mr. SULLIVAN, Mr. MCCLINTOCK, Mr. DAVIS of Tennessee, Mr. WESTMORELAND, Mr. NEUGEBAUER, and Mr. BROWN of South Carolina.

H.R. 716: Mr. MCMAHON.

H.R. 744: Mr. BISHOP of Utah and Mr. BOOZMAN.

H.R. 758: Mr. DAVIS OF ALABAMA.

H.R. 775: Mr. ACKERMAN, Mr. DAVIS of Alabama, Mr. BOREN, and Mr. TIAHRT.

H.R. 816: Mr. TIAHRT, Mr. BUTTERFIELD, and Mr. FORBES.

H.R. 868: Mr. MASSA and Mr. LATHAM.

H.R. 872: Ms. SLAUGHTER, Mr. ELLISON, Mr. STARK, and Mr. BOUCHER.

H.R. 873: Ms. SLAUGHTER, Mr. ELLISON, Mr. ACKERMAN, Mr. MAFFEI, Ms. FUDGE, Mr. CONNOLLY of Virginia, Mr. COOPER, Mr. OLVER, Mr. SCHAUER, Mr. WU, Mrs. MALONEY, Mr. DEFAZIO, Mr. BOSWELL, Ms. SCHWARTZ, Mr. ADLER of New Jersey, Mr. HIMES, Ms. KILROY, Ms. MARKEY of Colorado, Ms. PINGREE of Maine, Mr. POLIS, Mr. GRAYSON, Mr. MASSA, Ms. BEAN, Mr. HINCHEY, Mr. GRIJALVA, Mr. MCGOVERN, Mr. MOORE of Kansas, Mr. LOEBSACK, Ms. CORRINE BROWN of Florida, Mrs. NAPOLITANO, Mr. HODES, Mr. KLEIN of Florida, Mr. HALL of New York, Mr. ABERCROMBIE, Mr. YARMUTH, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. WALZ, Mr. CONYERS, Mr. CHANDLER, Mr. FARR, Mr. KIND, Mr. MARKEY of Massachusetts, Mr. ISRAEL, Ms. JACKSON-LEE of Texas, Mr. MCDERMOTT, Mr. FATTAH, Mr. HOLT, Mr. JACKSON of Illinois, Ms. LEE of California, Mrs. LOWEY, Mr. MITCHELL, Ms. LORETTA SANCHEZ of California, Mr. MEEK of Florida, Mr. OBEY, Mr. ORTIZ, Mr. RANGEL, Ms. SUTTON, Mr. TIERNEY, Mr. WEXLER, Mr. PETERS, Ms. SCHAKOWSKY, Mr. VAN HOLLEN, Mr. COURTNEY, Mr. LARSEN of Washington, Mr. DELAHUNT, Mr. LARSON of Connecticut, Ms. MATSUI, Mr. LEWIS of Georgia, Ms. HIRONO, Mr. STARK, Mr. REICHERT, Mr. SESTAK, and Mr. BOUCHER.

H.R. 877: Mrs. MILLER of Michigan and Mr. ALEXANDER.

H.R. 914: Ms. ROS-LEHTINEN, Mrs. MILLER of Michigan, Mr. GERLACH, Mr. BILIRAKIS, Mr. RYAN of Ohio, Mr. KIND, Mr. BOUCHER, Mr. STUPAK, Mr. HALL of Texas, and Mr. DRIEHAUS.

H.R. 930: Mr. PASCRELL.

H.R. 950: Mr. PAYNE, Mr. HARE, and Mr. HOLDEN.

H.R. 953: Mrs. MYRICK.

H.R. 968: Mr. DENT and Mr. TIAHRT.

H.R. 978: Mr. BUTTERFIELD and Mr. SIMPSON.

H.R. 979: Ms. ESHOO and Mr. LOEBSACK.

H.R. 997: Mr. TIAHRT.

H.R. 1008: Mr. PRICE of North Carolina, Ms. NORTON, Mr. GRIJALVA, and Mrs. LOWEY.

H.R. 1016: Ms. HIRONO, Mr. COURTNEY, Mr. KLEIN of Florida, Ms. BERKLEY, Mr. JACKSON of Illinois, Mr. BISHOP of New York, Mr. BOREN, and Mr. LOBIONDO.

H.R. 1017: Mr. YOUNG of Florida.

H.R. 1021: Mr. PITTS and Mr. SPACE.

H.R. 1029: Mr. PATRICK J. MURPHY of Pennsylvania.

H.R. 1032: Ms. KILROY, Ms. KOSMAS, Mr. KIRK, Mr. ARCURI, and Mr. JACKSON of Illinois.

H.R. 1064: Mr. JACKSON of Illinois, Mr. DELAHUNT, Mr. GONZALEZ, and Mr. CLYBURN.

H.R. 1067: Mr. CARNEY, Mr. WILSON of South Carolina, Mr. MORAN of Kansas, and Mr. TIM MURPHY of Pennsylvania.

H.R. 1069: Mr. BURTON of Indiana, Mr. MCCOTTER, Mr. LAMBORN, and Mr. ROONEY.

H.R. 1076: Mr. ROONEY.

H.R. 1139: Mr. MURTHA.

H.R. 1148: Mr. MCCAUL.

H.R. 1156: Mr. DANIEL E. LUNGREN of California.

H.R. 1186: Mr. WITTMAN.

H.R. 1189: Mr. CRENSHAW.

H.R. 1193: Mr. SMITH of New Jersey.

H.R. 1204: Mr. CONNOLLY of Virginia.

H.R. 1207: Mr. DEFAZIO.

H.R. 1209: Mr. COSTA and Mr. BUYER.

H.R. 1211: Mr. HASTINGS of Florida and Mr. BLUMENAUER.

H.R. 1214: Mr. MEEK of Florida, Ms. CLARKE, Mr. SIRES, Mr. HINCHEY, Mr. GRIJALVA, and Mr. ELLISON.

H.R. 1238: Ms. FALLIN, Mr. BURTON of Indiana, Mr. SENSENBRENNER, and Mr. LAMBORN.

H.R. 1240: Mr. MCINTYRE, Mr. MEEKS of New York, Mr. DAVIS of Alabama, Mr. ROE of Tennessee, Mr. PASTOR of Arizona, Ms. HIRONO, Mr. JACKSON of Illinois, Mr. YARMUTH, and Mr. PRICE of North Carolina.

H.R. 1254: Mr. PLATTS.

H.R. 1262: Ms. EDWARDS of Maryland.

H.R. 1263: Mr. WOLF.

H.R. 1264: Mr. MILLER of Florida.

H.R. 1270: Mr. GUTIERREZ, Mr. LOEBSACK, Mr. GRAYSON, and Mr. CONNOLLY of Virginia.

H.R. 1283: Mr. DICKS, Mr. JACKSON of Illinois, and Ms. JACKSON-LEE of Texas.

H.R. 1294: Mr. BLUNT, Mr. FRANKS of Arizona, Mr. FORTENBERRY, Mr. MORAN of Kansas, Mr. UPTON, and Mrs. BACHMANN.

H.R. 1302: Mr. MCDERMOTT, Mr. HINCHEY, Ms. BORDALLO, and Mr. BROWN of South Carolina.

H.R. 1329: Mr. KIRK and Ms. BEAN.

H.R. 1334: Mr. HASTINGS of Florida, Mr. FATTAH, Mr. JACKSON of Illinois, and Ms. SCHAKOWSKY.

H.R. 1341: Mr. SHERMAN.

H.R. 1347: Mrs. NAPOLITANO.

H. Con. Res. 34: Mr. MARSHALL.

H. Con. Res. 48: Mr. MOORE of Kansas, Mr. FARR, Mr. BRALEY of Iowa, Mrs. MALONEY, Mr. ROTHMAN of New Jersey, Mr. BRADY of Pennsylvania, and Mr. ABERCROMBIE.

H. Con. Res. 49: Mr. WITTMAN, Mrs. EMERSON, Mr. ORTIZ, Mr. POSEY, Mr. RYAN of Ohio, Ms. CORRINE BROWN of Florida, Mr. DAVIS of Alabama, Mr. KINGSTON, Mr. CRENSHAW, and Mr. RYAN of Wisconsin.

H. Con. Res. 55: Mr. BOREN, Mr. BOEHNER, Mr. COBLE, Mr. ROTHMAN of New Jersey, Mr. ISSA, Mr. KENNEDY, and Mr. SESSIONS.

H. Con. Res. 57: Mr. AKIN, Mr. RYAN of Ohio, Mr. RADANOVICH, Mr. TIBERI, Mr. WESTMORELAND, Mr. HARPER, Mr. FORTENBERRY, Mr. LAMBORN, Mr. POSEY, Mr. GENE GREEN of Texas, Mr. WALDEN, Mr. ROE of Tennessee, Ms. CORRINE BROWN of Florida, Ms. KAPTUR, Mr. ROGERS of Alabama, Mr. ARCURI, Mr. WOLF, Mr. LOBIONDO, and Mr. LINCOLN DIAZ-BALART of Florida.

H. Con. Res. 59: Ms. BORDALLO.

H. Con. Res. 60: Mr. CRENSHAW.

H. Con. Res. 64: Mr. WHITFIELD, Mr. ELLISON, Mr. SMITH of Texas, Ms. ROS-LEHTINEN, Mr. WITTMAN, Mr. SCALISE, Mr. CASTLE, Mr. FORBES, Mr. MCHENRY, Mr. HEINRICH, and Mr. GINGREY of Georgia.

H. Res. 20: Mr. MASSA.

H. Res. 22: Ms. WASSERMAN SCHULTZ.

H. Res. 81: Mr. TAYLOR.

H. Res. 130: Mr. JACKSON of Illinois, Mr. INSLEE, and Mr. MARSHALL.

H. Res. 166: Mr. KLINE of Minnesota, Mr. PRICE of Georgia, and Mr. BROWN of South Carolina.

H. Res. 173: Mr. BROUN of Georgia.

H. Res. 174: Mr. FRANK of Massachusetts, Mr. MEEK of Florida, Mrs. LOWEY, and Mr. MCMAHON.

H. Res. 178: Mr. BLUMENAUER.

H. Res. 185: Mr. JOHNSON of Georgia, Mr. BRADY of Pennsylvania, Mr. KIRK, Mr. BARTLETT, Mrs. TAUSCHER, Mr. BROWN of South Carolina, and Ms. WATSON.

H. Res. 194: Mr. GENE GREEN of Texas, Mr. CARSON of Indiana, Mr. SESTAK, Ms. GIFFORDS, Ms. JACKSON-LEE of Texas, Mr. BERMAN, Mr. DELAHUNT, and Mr. POE of Texas.

H. Res. 200: Ms. SCHAKOWSKY and Mr. PERRIELLO.

H. Res. 209: Mr. PALLONE, Mr. MCCOTTER, and Mr. CROWLEY.

H. Res. 210: Mr. KAGEN, Mr. BLUMENAUER, Mr. YOUNG of Alaska, Mr. JACKSON of Illinois, and Mr. KUCINICH.

H. Res. 211: Ms. SLAUGHTER, Mr. FARR, Mr. JACKSON of Illinois, Mrs. MALONEY, Ms. SUTTON, Mr. GRIJALVA, Ms. HIRONO, Mr. BERMAN, Mr. MEEK of Florida, Mr. SMITH of Washington, and Ms. LORETTA SANCHEZ of California.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, MONDAY, MARCH 9, 2009 No. 41

Senate

The Senate met at 2 p.m. and was called to order by the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia.

PRAYER

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

Let us pray.

Eternal God, You have been good to us beyond our deserving, surrounding us with the beauties of the Earth and the glories of the skies. Make our Senators, this day, alert to Your providential movements. If their minds are closed to Your truth, open them. If their hearts are hardened, stir them. If their ears are deaf to the cries of the needy, unstop them. Revive in them a desire to establish new thresholds of hope for our Nation and world. Lord, be near to them all their days, making them lie down in the green pastures of Your peace and leading them by the still waters of Your wisdom.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JIM WEBB led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 9, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will resume consideration of H.R. 1105, the appropriations bill. This legislation is open for debate on the finite list of amendments that were entered into last week. There will be a series of rollcall votes beginning around 5:30 p.m. today. The votes will start at 5:30. I do not know how many we will have, but it appears we will have four votes at that time.

MEASURE PLACED ON THE CALENDAR—S. 542

Mr. REID. Mr. President, I believe S. 542 is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the title of the bill for the second time.

The assistant legislative clerk read as follows:

A bill (S. 542) to repeal the provision of law that provides automatic pay adjustments for Members of Congress.

Mr. REID. Mr. President, I object to any further proceedings on this legislation at this time.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bill will be placed on the calendar.

OMNIBUS APPROPRIATIONS

Mr. REID. Mr. President, we came very close last week to passing the critically important Omnibus appropriations bill. At the last minute, one Senator changed their mind, leaving us one vote short of the 60 needed to stop the filibuster. A decision was made, though, later that night to allow more debate, and we agreed on the next day, Friday, to a finite list of amendments. These amendments are the only ones in order to this piece of legislation.

It is important we did that. It was important to do because it is important this legislation be passed. It is necessary to continue the process because of the importance of this legislation. It will create jobs, expand access to education, and protect our neighborhoods. It will provide the Consumer Product Safety Commission with the resources necessary to ensure that products such as toys are safe. This is for families and, of course, their children. This legislation will help families avoid foreclosure and refinance into affordable mortgages. It will help the Department of Justice and the Department of Treasury fight terrorism, drug trafficking, and crime in our communities.

It will improve our environment with investments in the Department of Interior and other agencies tasked with reducing pollution. It will keep us healthier with funds to fight ailments and diseases. This legislation will educate and prepare our workforce, promote science and technology, and create jobs. And, of course, it will help rebuild our crumbling roads, bridges, and tunnels, and other projects that are so vitally needed at this time to create jobs. The Omnibus bill provides smart, targeted investments in our country and its future, and it reflects sound compromise and cooperation between Democrats and Republicans dating back into last year.

We have not yet reached the finish line on this legislation, but we are close. Today we will move forward by debating a number of amendments, as we continue moving forward toward passing this bill.

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

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STEM CELLS

Mr. REID. Mr. President, at 12 o'clock today, President Obama brought new hope to millions of Americans who suffer from afflictions that one day might be cured. President Obama's executive order finally overturns the Bush administration's flawed policy on stem cells and restores scientific integrity to our law and our policy.

President Obama's executive order puts science above ideology and honors the strong wishes of hundreds of leading medical and scientific associations, research universities, patient advocacy groups, and, most importantly, the American people.

Since 2001, our most promising scientists have been forced to work literally with one hand tied behind their back. The President's action today sends a message to the millions who suffer that help—and hope—are on the way.

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

Oh, I see my friend here.

Mr. President, through the Chair I ask my friend from South Carolina, are you ready to take the floor?

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

NATIONAL READING MONTH

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 69.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 69) designating March 2009 as ''National Reading Month'' and authorizing the collection of nonmonetary book donations in Senate office buildings during the period beginning March 9, 2009 and ending March 27, 2009 from Senators and officers and employees of the Senate to assist elementary school students in the Washington, DC metropolitan area.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on the table, there be no intervening action or debate, and that any statements relating to this matter be printed in the RECORD.

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

The resolution (S. Res. 69) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 69

Whereas literacy is a learned skill that is improved through practice and regular reading;

Whereas public and school libraries play an important role in helping children learn to read and gain critical information literacy skills by providing easy and free access to books and other information on a wide range of topics;

Whereas the reading of books with children improves children's language, cognitive, and literacy skills;

Whereas research demonstrates that reading aloud with children is the single most important activity for helping them become successful readers;

Whereas quality children's books and the continued efforts of educators, parents, and volunteer reading partners can instill a love of reading that will last a lifetime;

Whereas school reading programs provide students with a chance to improve their reading skills and take pleasure in stories;

Whereas such programs have a profound and lasting positive impact on a child's life through improved reading comprehension, motivation, and achievement, as well as improved overall academic performance, classroom behavior, self-confidence, and social skills; and

Whereas all people of the United States can help celebrate the importance of reading by donating children's books, volunteering to read to and mentor young students, and supporting public policies aimed at improving literacy rates: Now, therefore, be it

Resolved, Notwithstanding any other rules and regulations of the Senate—

(1) the Senate designates March 2009 as ''National Reading Month'';

(2) a Senator or officer or employee of the Senate may solicit another Senator or officer or employee of the Senate within Senate buildings for nonmonetary book donations during the period beginning March 9, 2009 and ending March 27, 2009 to assist elementary school students in the Washington, D.C. metropolitan area, if such solicitation does not otherwise violate any rule or regulation of the Senate or any Federal law; and

(3) a Senator or officer or employee of the Senate may work with a nonprofit organization with respect to the delivery of donations described in paragraph (2).

RESERVATION OF LEADER TIME

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

OMNIBUS APPROPRIATIONS ACT, 2009

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 1105, which the clerk will report by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1105) making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes.

Pending:

Ensign amendment No. 615, to strike the restrictions on the District of Columbia Opportunity Scholarship Program.

Kyl amendment No. 631, to require the Secretary of State to certify that funds made available for reconstruction efforts in Gaza will not be diverted to Hamas or entities controlled by Hamas.

Kyl amendment No. 629, to provide that no funds may be used to resettle Palestinians from Gaza into the United States.

Kyl amendment No. 630, to require a report on countersmuggling efforts in Gaza.

McCain amendment No. 593, to prohibit the use of certain funds provided in the bill.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. DEMINT. Mr. President, everyone is well aware our country is going through some serious tribulation economically. The whole world, in fact, is dealing with serious economic troubles.

There are signs of hope in many areas of our economy. I think it is important for us, particularly those of us in elected office, to recognize those good things, and that the strength of the American people will certainly pull us out of this hole, as they have many times in the past.

Hopefully, what we do here in Washington will help and not hurt. I think everyone is aware a large part of our recession is the banking and credit problem. Certainly, if it did not cause it, it made it much worse, and continues to today.

Unfortunately, the new administration and the Congress have not put forth any plan to fix our credit crisis, to make our banks work appropriately. While many of them are calling me to remind me they are loaning money, they are working, there is still a lot we need to do in the credit area that we have not fixed.

Unfortunately, the trillion-dollar so-called stimulus plan we passed only a couple weeks ago—all borrowed money—did not address the credit/banking problem. It addressed issues that had nothing to do with the recession. The stimulus provided a lot of additional funds for education, health care, and infrastructure—a lot of good things. But those things did not cause our recession, and they are certainly not going to get us out of it.

I think the failure to bring forth a plan that addresses the real causes of the recession has many people around the country wondering what we are thinking. The fact is, what we are thinking is about the next election and not the next generation. It has become clear we are not addressing the real causes of the problems but are doing things that are more politically beneficial than beneficial to our economy.

As we deal with the difficult economic situation, it is almost hard to see the White House going in a lot of different directions, and some that are especially painful, particularly the issue of life. The new President campaigned on reducing the number of abortions, but in the first month or 6 weeks of his Presidency, he has changed the rule where now the American taxpayer is funding abortions all around the world. They put forth an Executive order to strike the conscience clause, which means we are

going to require physicians who are opposed to abortion to perform abortions. That makes no sense at all. When there are physicians who make a living performing abortions, why should we take a physician who considers it the taking of a life and force him to do it? Why do we need to do that in the middle of a recession and the economic problems we have?

Today, the President reversed a prohibition on Federal funding of certain types of stem cells. It seems to be opening Pandora's box to begin the destruction of unborn human beings. His Cabinet nominee for Health and Human Services has been one of the most radical pro-abortion folks in the country, having encouraged and protected late-term abortion and partial-birth abortions. Many people who are not pro-life believe we certainly should not be performing late-term abortions in this country. Yet the President seems to be going in a rather radical direction, in the middle of this economic storm we have. We have to wonder: What are they thinking?

Today we come to this, what we are calling an omnibus spending bill. Only 2 weeks after we passed this huge spending bill we called a stimulus—$1 trillion or more if you add interest and 2 weeks later we are talking about a bill that is over $400 billion. The Federal agencies cannot even spend the money as fast as we are throwing it at them, but now we are here today with this other bill under the pretense that we have to have this money to make the country operate. Americans need to know we have been operating under this year's funding through what we call a continuing resolution, which means we are operating essentially at last year's budget. The country has been operating effectively. The reason we are passing this bill is not that we need it to fund the Government because the Government is funded under a continuing resolution which we could extend through the end of the year. We actually need to be about working on next year's budget and next year's appropriations. That is what we are supposed to be doing now. Instead, we are going back and creating this new spending bill, which I consider an ominous spending bill, not so much an omnibus.

What I have in front of me right here is the reason there is such a rush to pass this additional spending bill. All Americans have heard of earmarks. These are the earmarks in this spending bill. This is the reason it has to be passed. Remember, last week they brought it up and said we had to pass it before Friday or the Government would shut down and it would just not be right to pass another continuing resolution. Well, come Thursday, they found out that because the American people had gotten agitated and outraged and had begun to call and e-mail their Senators, they didn't quite have the votes to pass this bill last week. But they will pass it because they have taken over 9,000 earmarks—special projects—and sprinkled them all around among Republicans and Democrats in the House and in the Senate. It is hard to vote against a bill that has a special project in it.

Some Americans have begun to hear a little bit about these earmarks. I will take the one that is sitting right here on the top of this stack. Keep in mind we have over 9,000 earmarks for most of the Congressmen and Senators. Now, a lot of Senators will come today and talk about how it is wasteful and we should cut the earmarks, but they will vote for it because a lot of them have already done the press releases on the money they are taking back home.

I will read a couple on the front page. There is an amount column, a project column, a purpose, and a location. Then they have the names of the Congressmen and Senators, but they have struck those. I am not exactly sure why. The first amount is $200,000 to Providence Holy Cross Foundation and it is for tattoo removal to a violence prevention outreach program in Mission Hills, CA. Now, I am sure that is a worthy cause, but in the middle of a recession, when we are borrowing trillions of dollars to try to keep this country going and the President is saying we have to make every dollar count and he is going to strike every item of waste, what is the Federal Government doing funding the removal of tattoos?

The second item is $75,000. That is not too bad, although it is more than most families make in a whole year. It is for the city of Albany. It is for Totally Teen Zone. This is Albany, GA. This is where they go and play with Xboxes and things such as that. I am sure that is a fine thing, but you have to wonder, in these times when we are out of money as a country, do we need to be involved as a Federal Government with this kind of thing?

The next item is $400,000 for the University of Montana. It is for teacher training, curriculum development, and awareness initiatives to combat bullying as well as the development of emergency protocol for school shootings—something I am sure is very necessary to combat bullying in schools; it is certainly something every school has to deal with. But how can we as a Federal Government send $400,000 to one university and expect to solve problems all over the country?

Well, the next one is $50,000 to Los Angeles for after-dark gang prevention. Again, these are all good things, but there is probably no Senator who has read all of these, but they know the ones that are in it for them because that is why they are going to be voting for the bill. The tacit agreement always is, we are going to get the votes to pass this bill so these 9,000 earmarks—these 9,000 press releases—will go out all over the country.

Our only hope of stopping this is if the American people continue to show their outrage and to continue to connect the dots of what we are doing because we are not doing this to fund the Government. This isn't about last year's business. It violates every pledge many people here have run on and certainly the President. If you recall, the President has said he was against earmarks. When I introduced a 1-year moratorium on earmarks, he flew back, along with all the candidates for President—or at least the top three at that time—to vote to have a 1-year moratorium on earmarks because more and more we are seeing the damage this is doing to our country. You can pass almost any bill with any bad policy with almost any level of spending as long as you fill it with earmarks for people back home.

They are thinking about the next election, not the next generation. They are not thinking about the families who are hurting because they are losing their jobs right now because this is much more likely to cause additional job losses over the next 5 to 10 years than it is to help create them. So this is the seed. This greases the skids to pass almost any type of bill. If my colleagues remember, when the first Wall Street bailout came through the House, it failed. So when the Senate took it up, what did they add to it to help it get passed? More earmarks.

Now, we have had several amendments to strike some of these earmarks, and there have been some heroes on the issue. JOHN MCCAIN has certainly been on the floor talking about the problems with earmarks he has seen over the many years he has been in the Senate, and he has one other amendment that will be on the floor that will basically take all these earmarks—they aren't in the legislation; they are in what they call report language off to the side, so it is not seen in the bill that is on the desk right here. But there is a reference in here to this, and that supposedly makes it all legal. The Constitution says we have to appropriate money based on law, which means it has to be in the bill, but we do everything we can to get around that Constitution and law by attaching some rider in here that says all these should be considered as law.

Folks, this is no way to run a Federal government. This is just one bill; it has nothing to do with the trillions of dollars on Wall Street and the banking bailout we have been talking about or the $1 trillion stimulus 2 weeks ago. It is over $400 billion, with over 9,000 earmarks they wanted to rush through last week, but because of people back home, some were shamed into saying they couldn't vote for it unless we had a longer process with more amendments.

Now, this is show. There is already a strategy to kill every amendment that comes up, so we are not trying to pass an amendment to strip earmarks. You will see Senator MCCAIN's good amendment, a commonsense amendment that, in the middle of our financial crisis, let's us take these and set them aside and pass the bill that funds our

Government. It is a good amendment, but the decision has already been made on the other side to kill that amendment unless the American people can shame a few more into voting against it.

JOHN ENSIGN has an amendment that will strike some language in the bill that seeks to discontinue school choice in Washington, DC. It is a small program—only 1,700 kids are involved with it—but there is a waiting list of parents who would like another choice. In this funding bill, this must-have funding bill, they sneak in a little policy such as that to kill a little bit of freedom in our country that we need to be expanding to every State, not killing it in Washington, DC.

DAVID VITTER has an amendment that will force Congress to vote on pay raises for Congressmen and Senators every year instead of what we do right now. Currently, there is an automatic provision in appropriations bills that goes through and gives us a cost-of-living pay raise. This should be done in the light of day. Right now, we can say we didn't vote on a pay raise, and we didn't because it was set up years ago to be automatic. So at a time when many Americans don't have work and some are taking pay cuts to keep their job, Senator VITTER's idea to be more transparent in what we do in Washington makes a lot of sense.

The President has promised change. Our growing concern is that the biggest change so far in Washington has been in him. We want to support him as much as we can. He did say he would stop this practice of earmarking, but he is looking the other way on this bill. He is saying he supports it. He could veto this bill and send it back to Congress and tell us to get rid of these earmarks. He could keep his promise and he could force us to change. But right now, this stack of earmarks is so addictive that the Congressmen and Senators who have these projects that they are so proud of back home are not going to vote against the bill. You could double this bill to $800 billion, and I am pretty sure it would pass anyway, as long as it had these earmarks in it.

Folks, as Senator COBURN from Oklahoma says, earmarks are the gateway drug to this runaway spending we have in Washington. We are spending our children and grandchildren into such a hole it is going to be almost impossible for them to get out. We are almost guaranteeing them a lower quality of life than we have had, as we borrow more and more money from other countries, as we print more and more money, and as we spend more money as a government than we ever thought possible.

This is the time when we need to stop this runaway spending. An amendment will be on the floor to strike these earmarks and to continue to fund the Government through the rest of the year. The other side doesn't want any amendments passed because that would mean we would have to go back and work with the House on a final bill. They want it to go through amendment free. It is up to us to make sure the American people know what is in this bill before we vote on it. That is the whole point of extending the debate. My hope is we will have 2 or 3 days to make the American people more aware of what is in it and, even more importantly, what is in this stack of earmarks, which is the reason this bill is being rushed through the Senate.

I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, I came to the floor to oppose two amendments, the Ensign amendment and the Barrasso amendment. However, before doing so, because my distinguished colleague from South Carolina spoke about the horrible earmarks, I wish to present my point of view.

I come from the largest State in the Union.

We are about 38 million people. In population, we are bigger than 21 States and the District of Columbia put together. We have 10.1 percent unemployment. We have 1.86 million people unemployed. That is more people unemployed in California today than are people in 14 States in the United States. We have increasing wildfires. We have decreasing water. We are the largest agricultural State in the Union—a $40 billion agricultural industry. For the great Central Valley south of the delta, the water allocation for this year is zero. We are a State that is in great need of infrastructure repair. The great North Delta, which provides the drinking water for 16 million people in my State, is subject to collapse. Levees collapse. We have major problems with collapsing sewers, bridge repair—Doyle Drive going onto the great Golden Gate Bridge is in high susceptibility to coming down in an earthquake. I could go on and on.

I have been, for 14 out of the 16 years I have been here, on the Appropriations Committee. Yes, I fight for funds for my State. That is what I came here to do. I want my earmarks, which are congressionally added spending, to be transparent and be out there for the world to see. If I make a mistake, I will change the mistake. But I want to help my State; otherwise, why do I come here? I cannot guarantee that the President of the United States, with all he has on his desk, is going to take care of California's needs. That is what I am here for; that is what I became an appropriator to do. And to handcuff what is a coequal branch of Government—remember, we have three branches of Government and they are coequal under the Constitution. To say that I am going to represent this great State, the seventh or eighth largest economic engine on Earth, and not help its infrastructure, not help provide for the needs of its people as somebody who sits as an appropriator—something I don't want to do. Candidly, why be an appropriator if you can't help your State? If you have to depend on a President who may want to ignore your State—that has happened in the past, and it can happen in the future.

So I think all of this dialog is misplaced. If I can't fight for my State, if I can't help my State, if I can't see that there is money for sewers and money for water reconstruction and where education needs are vital—and a State that had a $42 billion deficit and was almost ready to collapse because it could not come to agreement on the terms should be made worse off because I can't do anything to help my State or Senator BOXER can't do anything to help our State?

So I look at this as a way to reduce spending, no question about that, but also to create a more powerful precedent where the Congress is less able to add vital projects. Supposing a President has a bias against a given project. There is nothing, then, that an individual Senator or House Member or the House Members as a whole or the Senate as a whole can do about it. We make ourselves impotent as a coequal branch of Government if there is no ability, where necessary, to add to the budget.

Now, it has been said that earmarks have greatly declined—and they have—and it has been said by some that they will be limited to 1 percent of the budget for the next year. I have no problem with that. I think that ought to be announced now. I am prepared to do that in the Interior budget. But we have to know what the rules are when we do the appropriations bills. What happens is, we do the appropriations bills, and then they come out here and run into this kind of opposition. I say set the rule ahead of time, decide earmarks are to be a certain part of the budget. They have been ratcheted down over the years. Continue to ratchet them down and set a percent, so every one of us who is chairman of an appropriations subcommittee knows exactly what we have to work with.

Quickly, let me speak to two amendments—one that has been presented on the floor and one that hasn't but will be. The one that has been presented on the floor is the Ensign amendment, No. 615, on DC vouchers. I wish to speak on that and the Barrasso amendment, No. 637, on oil and gas drilling permits.

Here is another situation we are in. If the Senate approves either of these amendments, or any of the other 10 to 12 amendments now pending, this omnibus bill dies. The bill has been passed by the House. The House said they will take no amendments. The bill is over here, and we have a number of amendments being presented, many of which some of us would like to vote for, but we cannot. The Ensign amendment is one of those amendments for me.

If the omnibus bill dies, you then fund the Federal Government for another year. It has already been funded

for 6 months out of a continuing resolution. This year is already 43 percent gone. This means no agency has been able to start a new program, and funding levels have been frozen at fiscal year 2008 levels since October 1, 2008. As a matter of fact, we have paid for 1.2 million Federal executive branch employees. It is increased 3.9 percent in January of this year. The money for that is in this omnibus bill. If the bill doesn't pass, I suppose it has to be added to a CR, and other things would have to be added to a CR as well. But I believe we should pass this bill.

Let me speak for a moment about the Ensign amendment. I have supported the pilot program that provides vouchers on a pilot basis in Washington, DC, since its inception 5 years ago. I believe I was the deciding vote. This was added to an appropriations bill. I thought long and hard about it and decided to support it. I am prepared to continue to support this if the comprehensive evaluation, due this spring, shows that the program has value and students are improving.

I believe in my heart of hearts that public education must fundamentally change. It must move away from the large, institutional-type school into the smaller, more personal setting where teachers can spend more time with students and their families, particularly in a student's younger, habit-forming years. I don't believe youngsters from lower income families should be denied the opportunity to learn in these smaller, more personal settings.

We have huge schools in California. Some have thousands of students and hundreds more than should be in any one school. The Washington, DC, scholarship program is a 5-year pilot program to determine whether low-income students do, in fact, learn more and learn better in the area's private and parochial schools. Forty-nine schools, private and parochial, are included; 1,700 students are participating. They come from families under the average income of $23,000. They receive a Federal stipend of $7,500 a year to make their education in the private or parochial school possible, and the appropriation is $14 million a year.

I believe we need different models for children to learn. Think of it—this country is so diverse, so many different people, so many different languages, so many different cultures. Yet there is one institutional type—public school. That is the model that is followed. I don't understand why there can't be different models. I believe there should be.

So far, preliminary evaluation by the U.S. Department of Education Institute of Educational Sciences has shown some academic gains in reading and math. When these students entered the program, they were performing in the bottom third in reading and math tests in DC's public schools. Last year's evaluation, as I understand it, showed that the reading test scores of three subgroups of students, representing 88 percent of students receiving a scholarship, were higher by the equivalent of 2 to 4 months of additional schooling. These academic gains, again, are despite the many challenges these children face outside the classroom, coming from families where the average income is $23,000.

I believe the results of the more comprehensive evaluation are critical, and we expect to have those results this spring. I look forward to learning more in the months ahead on how students are performing overall in the program and the impact it has had.

In closing, I believe the debate over the DC Voucher Program is an important one. It is a valid one, and we should discuss it and debate it on this floor. But this bill is not the place to do it. If I were to vote yes and others were to vote yes, it would kill this bill, and we all know that. Simply stated, the House will not accept it. So I believe the debate is for another time. I regretfully will have to vote no on this amendment.

As chairman of the Appropriations Subcommittee on Interior, I also want to oppose the Barrasso amendment. The 2009 Interior appropriations bill, as written, carries a provision that allows the Bureau of Land Management to recoup the cost of processing over 9,000 oil and gas drilling permits that were filed this year. Now, appropriations bills are replete with user fees, so this is nothing new. In fact, the language we are carrying in the omnibus bill is the same as what was in the 2008 bill and mirrors the proposal put forward by the Bush administration for the past 2 years. This language simply says to the oil and gas companies: If you are going to drill on public land, you need to cover the cost of processing your permit. For fiscal year 2009, the fee is $4,000 per permit. It is used to pay for the necessary environmental analysis that must be done before a permit can be issued.

The $36 million raised through this fee is but a drop in the bucket compared to what these companies are getting. Listen to this: 23,293 active leases produce 108 million barrels of oil, 3 trillion cubic feet of natural gas, and 2 million gallons of liquid natural gas. In 2008, that resulted in $34.9 billion in revenues to oil and gas companies. From that, they pay $4.2 billion in royalties, leaving the companies with $30.7 billion. Out of that substantial sum, what we are asking the companies to do is pay $36 million in permit costs for environmental analyses and the processing of the permits. That is less than one-eighth of a percent or, to be precise, .12 percent to offset administrative costs.

I want to ask you to consider this: From 2003 to 2007, the revenue of the oil and gas industry increased by 63 percent, from $1.1 trillion to nearly $1.9 trillion. At the same time, industry profits net income more than doubled, increasing from $72 billion to more than $150 billion during this time period.

This is not an industry that is in need of a special break. As a matter of fact, one of these companies is a corporation that has made the greatest net profit of any corporation in our Nation's history. These companies are well off. They can afford to pay the permit costs, and I believe they should.

The amendment proposed by the Senator from Wyoming strikes the cost recovery of the permit process and leaves the Federal Government and ultimately the taxpayers responsible for paying all of the administrative costs. I think that is fundamentally wrong.

Furthermore, the industry would cause the Interior bill to exceed the subcommittee's spending allocation. Right now, our bill complies with the allocation we have been given, but striking the cost recovery fee, the Barrasso amendment would put the Interior bill $36 million over its allocation. I understand a point of order will be made against the bill at a later time.

That concludes my comments. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, while the Senator from California is here, I wish to acknowledge her role in helping to create the DC voucher program for low-income children. It was not an easy vote for her. I listened to her remarks as I have before about the importance of trying new ideas in American public education. The new Secretary of Education, Arne Duncan, who I think is one of the President's best—maybe his best—appointments, believes the same thing.

I look forward to working with the Senator to see what the study, which comes out this spring, says about the first few years of this program. We know parental satisfaction is high.

Mrs. FEINSTEIN. Mr. President, will the Senator yield to me?

Mr. ALEXANDER. Yes.

Mrs. FEINSTEIN. I know he is under a time agreement. I say to the Senator through the Chair, I really do look forward to working with Senator ALEXANDER. This is very important. I so regret some of the pressures that are brought upon this program. I am so pleased he and I agree these children should have different models to choose from in the public educational arena.

This Washington Scholarship Program, I think we both believe, can go a long way, and hopefully the findings will be positive. I look forward to working with the Senator from Tennessee as well. I thank him for his comments.

Mr. ALEXANDER. Mr. President, I thank the Senator. We do agree on that. The one area with which I respectfully disagree is that this was not the bill to put on restrictions and conditions to make sure the program ends. That is the reason we have an amendment, because someone thought it was

important to say that the program needs to end unless it is approved by the DC City Council which, unlike the Mayor, opposes the program. That is why we have an amendment.

Unfortunately, the circumstance we have is, unless we take very quick action in the Congress, the 1,700 children who are part of this program will not be a part of it after another year. The program will shut down. It is beginning to do that now, and it will not be accepting new applications.

I also regret that the amendment is being offered, but that was necessary because of the restrictions and the conditions that were placed on the scholarship program in the omnibus. But that does not change my attitude about working with the Senator from California to look to the future.

Mr. President, I ask that I be notified when 9 minutes is completed.

The ACTING PRESIDENT pro tempore. The Chair will so notify.

Mr. ALEXANDER. I thank the Chair.

(The further remarks of Mr. ALEXANDER are printed in today's RECORD under ''Morning Business.'')

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I happened to be on the Senate floor. I thank my friend from Tennessee for his statement in regard to the time and difficulty it takes to confirm nominees for higher office in a new administration.

I will tell my friend what he may well know, which is, under the leadership of one of his predecessors, Fred Thompson, a former Senator from Tennessee, our committee attempted to grapple with this problem. I think we made some progress but obviously not enough.

I will be glad to discuss the Senator's proposal with Senator COLLINS who is always ready to lead a gang in a good cause.

I thank my friend from Tennessee.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Connecticut.

AMENDMENT NO. 615

Mr. LIEBERMAN. Madam President, I rise to speak in favor of the amendment which I have cosponsored to the legislation before us, the one with Senator ENSIGN and others. I believe it is amendment No. 615.

This amendment would strike language currently in the omnibus bill before us that is crippling to the DC Opportunity Scholarship Program. The language we seek to strike terminates the OSP program unless a reauthorization bill is passed by Congress and the DC Council prior to the 2010–2011 school year. So the language I have offered with Senator ENSIGN would strike the language that terminates the District of Columbia Opportunity Scholarship Program.

Madam President, quoting from title IV of the underlying bill, it says:

> . . . use of any funds in this Act or any other Act for opportunity scholarships after school year 2009–2010 shall only be available upon enactment of reauthorization of that program by Congress and the adoption of legislation by the District of Columbia approving such reauthorization.

In narrative language attached to the report, it says:

> Funding provided for the scholarship program shall be used for currently-enrolled participants rather than new applicants. The chancellor of the District of Columbia Public Schools should promptly take steps to minimize potential disruption and ensure smooth transition for any students seeking enrollment in the public school system as a result of any changes made to the private scholarship program affecting periods after school year 2009–2010.

That is a quote from the underlying measure which the amendment of Senator ENSIGN and I and others would strike.

Madam President, the language, in my opinion, is unnecessary, in some sense it is gratuitous, as is the narrative language, which essentially says to approximately 1,700 low-income students in the District of Columbia who are benefitting from this program: Get ready for it to end. I think substantively this is terribly wrong, but I think procedurally it is wrong to include such a measure in an Omnibus appropriations bill that we are being asked to pass without amendment. I understand that request, but it is harder to respond to that request when we are asked not to amend something that is not necessary as part of the Omnibus appropriations bill. It is an unnecessary and, I would say, gratuitous attempt to undercut this DC Opportunity Scholarship Program before the evaluation of the benefits of the program for the students involved are in and in total contradiction of the enormous amount of money we appropriate every year without authorization for a host of different programs.

That is the summary of why I support this amendment. I would come back to say that the DC Opportunity Scholarship Program was created as part of an agreement—a kind of grand bargain that occurs here occasionally. A lot of people were opposed to these so-called vouchers, but an agreement was made—a kind of tripartite agreement—which said we would give, at that point, as I recall, an equal or slightly greater amount of money to the public school budget for the District of Columbia, to the charter school budget for the District of Columbia, and to the DC Opportunity Scholarship Program, which allows low-income students in the District to basically get a scholarship to go to a private or religious—faith-based—school. I think in that agreement there was the essence of what this is all about: Education is not about protecting a particular system for the sake of the system, it is about how we best educate our children.

I don't think anyone can say all our public schools are doing the job that is so fundamental to our society; that of educating every one of America's children so every one of them has an equal opportunity to rise as far as their talents and hard work will take them. Some of them are not getting a quality education in the public schools they are in. Of course, as a societal goal, we should try to make sure every public school in America is prepared to give every child that equal opportunity to a first-class, world-class education. But that is not the reality now. Suffering most of all are the poor children—often children of minorities, either African American or Hispanic.

As one response to this dilemma, while we are working on so much else, there has been an attempt in some parts of the country—Ohio, I believe Wisconsin, and here, through congressional action the District of Columbia—to create a lifeline for some of the children whose parents want them to go to another school than the one they are going to. As studies have shown, most Members of Congress send our children not to public schools but to the private and faith-based schools because we can afford it. This program says to the parents of children of the District of Columbia—a limited number—you have the same right, if you think the public school your child is in is not now giving them the kind of high-quality education your child needs to realize his or her dreams.

So far the evaluations of students who have benefitted or taken advantage of this program have been quite positive. Final evaluation is coming this spring. I guess one evaluation is that every year this program is oversubscribed. In other words, there are many more parents of children in the DC school system who aspire to a scholarship to go to a school their parents feel is better. So why put in this omnibus bill a demand or requirement that there needs to be an authorization for this program to continue and adoption by the District City Council? Why do that, when so many programs are appropriated without authorization?

I read from a CBO report—Congressional Budget Office report—dated January 15, 2009, titled ''Unauthorized Appropriations and Expiring Authorizations,'' and on page 2 of that report it says:

> In recent years, the total amount of unauthorized appropriations reported by the Congressional Budget Office has ranged between $160 billion and $170 billion.

Unauthorized appropriations every year are between $160 billion and $170 billion. How much money do we appropriate for the DC Opportunity Scholarship Program? Fourteen million dollars. That is million with an M. So why are we singling out the $14 million dedicated to providing school choice to low-income students in the District of Columbia for such a demand, such a requirement? I don't think it is fair. I don't think it makes sense. I think it is an attempt to put into this bill a kind of obstacle that the sponsors of it don't think can be passed, and particularly to do it on a measure in which we are

asked to oppose all amendments is just plain impossible to accept.

The average household income of the families in the scholarship program in Washington is less than $24,000. So how in good conscience can we tell parents in the District they are going to be denied the resources to do what they believe is best for their children, when so many of us make the very same decision regarding the education of our own children? The DC scholarship program comes from our Nation's fundamental commitment not just to opportunity but to equal opportunity, so each and every American child is able to develop their God-given talents to the fullest extent based on their own willingness to work hard. We can't let the realization of that promise be jeopardized by the language in this bill.

There was discussion on the DC Voting Rights Act of this DC Opportunity Scholarship Program. Those who were going to amend that bill withdrew it in a colloquy in which two things happened: First, as chairman of the Homeland Security and Governmental Affairs Committee, I committed to holding hearings this spring, hopefully after the final evaluation of this program comes out—an independent evaluation which will allow us to fairly evaluate it before we act in any way. Why our committee? It happens that Governmental Affairs' jurisdiction—traditional historic jurisdiction—includes jurisdiction over the District of Columbia. I am open to proposals to improve the standards in administration of the program and will probably propose some of my own. But I believe the restrictive language in this bill, this Omnibus appropriations bill, is so damaging to the Opportunity Scholarship Program and to the lives of these 1,700 children that it should be removed.

I was very encouraged that our new Education Secretary, Arnie Duncan, said as much himself, when he said it would be particularly unfair to stop this program appraisal and the funding of it by Congress for the 1,700 students who are in it now.

There was a second promise made, which was from Senator REID, the majority leader, which I greatly appreciate; and that was that at some point this spring there would be floor time given to a debate on the merits of the Opportunity Scholarship Program in the District of Columbia. So why jump ahead of that with this restrictive language in this underlying bill?

I would add this, finally. This is all about children, about the future of our children. It is not about protecting the status quo, it is not about teachers' rights, it is about giving kids a chance to make their way forward and ultimately improving our public schools so they are all as good as we want them to be.

I was raised with a quote that may seem irrelevant to this, but I think it is relevant. It came from religious sources. It was that if you save one life, it is as if you saved the whole world. What did that mean? I was taught it meant if every individual—and I am looking at these great pages of ours, young men and women with all sorts of promise that just radiates from them—if you saved the life of one person, all the promise, the possibilities of what that young man or woman would do in life will be saved, and they, in effect, can change the world.

When I heard that years ago, and I thought of saving a life, I thought of protecting somebody from danger or a doctor who saved the life of a patient. But I will tell you that a good education in our country today makes so much of a difference between whether a person will have a real life in this country, full of opportunity and satisfaction and self-sufficiency or whether the person will always feel slightly behind the ball and always feel slightly unable to do what one has to do in this society to make it.

So this DC Opportunity Scholarship Program says we can save lives by giving kids a choice, giving parents a choice to send their children to the school they want to send them to because they think it will be better for the child than the public school the child happens to be in now.

As I mentioned in the beginning, this was part of a tripartite agreement that gave money to public schools in the District, charter schools in the District, and the DC Opportunity Scholarship Program. In this budget this year, those numbers are $20 million for the public schools here in the District, $20 million for the charter schools, and $14 million to opportunity scholarships. I say to my friends who seem to have this wonderful DC Opportunity Scholarship Program in the crosshairs, that if this is followed through on, the danger here is that other Members of the Senate and Congress will rise and eliminate the extra funding for the DC public schools and the charter schools. That would be a shame three times over. That is why I am so proud to stand with Senator ENSIGN and others to try to strip this language from this bill so my committee can go ahead and hold a hearing this spring and we can bring a bill out to the floor this spring and have a full debate based on the final evaluation that an independent group will do. It is in the process of doing that, finishing the report now.

I understand there are colleagues, like my friend and colleague from California, Senator FEINSTEIN, who just spoke before, who support the DC Opportunity Scholarship Program, and she has worked so hard to make this happen. I have the greatest admiration for her for doing that—and so much else she has done in her public life. She will not vote for this amendment of ours because she does not want to jeopardize the underlying Omnibus appropriations bill.

I understand that, and I understand that is probably why the amendment Senator ENSIGN and I and others have sponsored will not make it. But it is an important cause for which we are fighting. I think it is important that the vote on the amendment occur and that it serve as a kind of preface to the full-scale debate we will have this spring on this critically important and innovative and I think effective program that is changing the lives—as I took the liberty to say, saving the lives, creating a future—for 1,700 children, and hopefully more in the years ahead, who live in the District of Columbia.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. ROBERTS. I thank the Presiding Officer and ask that I be recognized for 15 minutes, and I ask unanimous consent that Senator VITTER be recognized to speak following me, after my 15 minutes.

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

Mr. ROBERTS. Madam President, in the midst of this debate on the $410 billion omnibus spending package, the Finance Committee heard from Treasury Secretary Geithner as part of the committee's annual review of the President's budget. This is a very ambitious budget, particularly, coming on the heels of this omnibus package. It seems as if we have one huge bill after another—TARP, omnibus, stimulus, and now budget.

For the first time we are looking at a budget that tops $3.6 trillion. At a time when many families are struggling, this budget asks them, to support Federal spending on new and very questionable programs and higher taxes to support those programs. We ought to be concentrating instead on the scope of the economic recovery package, not on these other programs—which I will go into in just a moment.

I also want to help set the record straight with regard to the Federal deficit. If we are ever going to achieve any progress, and with some bipartisan support, then we ought to quit looking in the rear-view mirror and citing some statistics that do not add up. Facts are stubborn. Since the new administration took office, we have heard a persistent drumbeat from the majority about the legacy of debt that they say they have inherited from the previous administration. The President did inherit a significant debt, but to say it was solely a result of Republican policies and those of the previous administration is simply not telling the full story to the American people Or, as the late great Paul Harvey would say: ''Now the rest of the story.''

I borrowed this chart from Senator GRASSLEY, the ranking member and previous chairman of the Finance Committee. It shows the deficit as a percentage of GDP over the past 8 years. It begins with the economy that the previous administration inherited. The deficit levels for those earlier years of the decade reflect the downturn in the economy, the burst of the tech and the impact of the 9/11 terrorist attacks on

the economy. However, the deficit levels came down when we had bipartisan support for tax relief—not tax cuts, tax relief—that was passed in 2001, 2003.

Look at what happened. The deficit shrank noticeably between 2004 and 2007, from $413 billion in 2004 to $163 billion in 2007. Nobody ever talks about that.

If you really wanted to get somewhat partisan, you could point to the fact that we were not in power then in 2007. That is when the majority took over. But I am not into that. It doesn't make much difference. It seems to me we should quit looking in the rear-view mirror and look on down the road with what we do for economic recovery.

In other words, under the policy of the previous administration, the deficit shrank by more than half during this period from 2004 to 2007. Those are the facts. It was not until 2 years ago, when Democrats came to power in Congress, that the deficits began to increase again. The spending spree over the past 2 years was led by the majority who wrote and pushed through a $700 billion financial bailout bill that has contributed significantly to the deficit the country now faces.

This bill, I will be very fair about it—this bill was bipartisan. It had the support of both Democrats and Republicans in the Congress, and a Republican President. As a Member of the Senate at that time President Obama supported the bill. When we talk about the deficit that the country is facing, let's keep this in mind. Again, we cannot keep looking in the rear-view mirror with facts that are misleading if we wish to achieve bipartisan progress in addressing the deficit.

The American people are very fearful, if not fed up, with the current rampant and unceasing spending that is going on in Washington—$700 billion to bail out financial firms that are too big to fail—with more requests for assistance expected; a $250 billion placeholder is provided in the President's budget; a questionable stimulus bill that will cost $787 billion—more than $1 trillion, when you add in interest; and there is a $410 billion omnibus bill and a $3.6 billion budget proposal. They simply want to know, and I think every Senator here wants to know as well, where does it end? When will we have spent enough and how on Earth are we going to pay for it? Is it going to work? Those are the questions.

At least a partial downpayment for this spending is included in the budget. The President has returned to the tried and true majority playbook to pay for more spending by simply raising taxes.

I take issue with the statement that the tax increases in the President's budget will be borne primarily by those families who earn over $250,000—the ''not one dime'' argument. This budget raises taxes on small businesses, the Nation's job creators. It passes on the cost of a cap-and-trade—or as I see it a cap-and-tax—system, not only to businesses but to consumers in the form of higher prices for energy. To my way of thinking, nobody has explained to this Senator how that is going to work or if we have the technology to make it work. It may be desirable, but I have yet to see how it is going to work or the technology.

The budget raises taxes on domestic energy producers. It raises taxes on investments. American consumers and families will pay higher taxes under this cap-and-trade proposal.

The counter argument is that they are targeting what they have determined are the wealthy to pay for their spending priorities. I always said I wonder when it would be time for those in Congress who believe this is the way to do things to determine who is rich or who is not. That is called class warfare in my view, but that is another speech and another story.

In other words, most Americans do not need to worry about these tax increases because it will not affect them, it will only affect their neighbor. I have yet to see a tax imposed on one set of taxpayers where the cost was not ultimately passed on to someone else. We are all in this economy together, and a tax increase on one neighbor is likely to be felt by the guy next-door.

The President's budget includes several of what I call anthill issues. These were the issues I discussed with Secretary Geithner.

The reason I call them anthill issues is you do not want to be giving a speech, or standing on an anthill—and I have had that experience, with a fellow Senator in Kansas, where she was standing on an anthill. I suggested she move. She said she was happy where she was. And I said: I don't think you will be in about 2 or 3 minutes. That was the case and she moved.

I have read with interest over the past few days the comments from several of my Democrat colleagues who have expressed the same concerns I have about these so-called anthill issues, those that bite, and that is a good sign. One anthill issue proposal would increase revenue by reducing the amount of mortgage interest that homeowners who pay taxes in the top brackets can deduct. At a time when the Federal Government is taking unprecedented steps to shore up the housing market and make home ownership possible for qualified homeowners, it seems counterintuitive. That is a Senate word, ''counterintuitive.'' ''It seems like we shouldn't be doing this.'' Those are the real words. It seems counterintuitive, to say the least, to reduce an inherent incentive in the Tax Code to own a home.

Does it make sense to tell these families who have lived in their home for 10 to 20 years that they can no longer deduct their mortgage interest? And what does reducing the mortgage interest deduction mean for the value of their home? We have already heard concerns that limiting the deduction would further depress home prices. What message does it send to families who may be looking to purchase a home right now, which I thought was the goal.

I do not know how the administration can, on one hand, provide billions of dollars to aid housing, including a $75 billion plan that Secretary Geithner announced a few weeks ago, to help those who have bought homes they can no longer afford and aid homeowners who are underwater in their mortgages but, on the other hand, reduce the tax incentive for those earning over a certain amount and who own or are looking to buy.

The second anthill proposal targets contributions to charitable organizations. I don't know who thought this up. In this economic climate, many charitable organizations are being asked to do more with less while donors tighten their belts, while at the same time more people are turning to charities for assistance. Yet this budget not only raises income taxes on those in the top two tax brackets, reducing their discretionary income from which they can make charitable contributions, it also reduces the value of the deduction for charitable contributions for these taxpayers. Clearly, these changes will not bring a halt to charitable giving. I know that. But won't it reduce contributions to charities when more Americans are relying more on charitable assistance? Won't the cost of a decline in charitable giving be borne by those most in need of assistance?

Secretary Geithner, in testimony, says an estimated $4 billion loss is ''modest.'' I do not agree with that. I suggest that a $4 billion loss to charitable organizations around the country is not modest. Why would the administration create any disincentive that will reduce donations to charity?

Finally, the third anthill issue targets certain small businesses for tax increases. This is a point I want to underscore. In Kansas, we have over 60,000 small businesses which make up 97 percent of the State employers.

They are the leading job creators.

The budget reinstates the 36 percent and 39.6 percent—might as well make it 40 and 41 when you count the deductions that will not be included—in income tax rates for individuals earning over $200,000 and for families earning over $250,000, reinstates the personal exemption phaseout, and limits the benefits of itemized deductions for these taxpayers.

These increases will result in higher taxes on many small businesses. I know supporters of the wealth redistribution in the budget say it does not raise taxes on that many small business owners. But the National Federation of Independent Business data shows differently. The data shows that 50 percent of the small business owners who employ 20 to 249 workers would fall into the top two brackets. And over half of the Nation's private sector workers are employed by small businesses with 20 to 500 employees.

Small businesses in Kansas feel they are stressed to the limit and they worry that to pay the additional taxes proposed in this budget—and this is the real world, this is the reality, this is the law of unintended effects that we always fall into—means they are going to have to lay off workers, reduce wages or benefits, or pass these costs on to their customers. None of those are good options.

Let me say that tomorrow we are set to pass this $410 billion omnibus spending bill. I am going to oppose this bill. I do not like doing so, but I am going to oppose this bill. There are a lot of things wrong with this bill. And it is clear, it seems to me, that we must—we must—get a grip on Federal spending because in a few weeks we will take up the budget proposal for next year.

If there is a silver lining in the President's $3.6 trillion budget, it is that the tax increases would not take effect until 2011, reflecting the administration's acknowledgment that raising taxes when the economy is in crisis is not a good idea.

Thus, it appears that the administration expects that the economy will be recovering by 2011. I hope so. And that certainly would be good news. I hope the administration will use caution when determining if the economy is sufficiently recovered to withstand nearly $1 trillion in new taxes in 2011.

I hope they will consider stepping off the anthills I have mentioned: limiting deductions for charitable giving, mortgage interest, and tax increases on small businesses. I hope they will not insist on pursuing their spending agenda at the expense of economic recovery. To forestall recovery in order to pursue their tax and spending agenda is simply not right.

As the eminent columnist Charles Krauthammer wrote in the Washington Post last week with regard to the President's proposed budget:

> The day of reckoning has arrived. President Obama has come to redeem us with his far-seeing program of universal, heavily nationalized health care; a cap and trade tax on energy; and a major federalization of education with universal access to college as the goal.

Wow, that is an ambitious agenda. However, pursuing this through higher taxes and bigger Government is not a legacy I think the administration will want to pass on to future Presidents or to future generations.

That is the rest of the story.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

AMENDMENT NO. 621

Mr. VITTER. Madam President, the distinguished Senator from Iowa, Mr. GRASSLEY, is on his way to the floor to discuss the same issue I will be discussing, so in light of that, I ask unanimous consent that immediately following my remarks he be recognized for 10 minutes.

The PRESIDING OFFICER. In my capacity as a Senator from North Carolina, I object.

Mr. VITTER. I ask unanimous consent to be recognized for 20 minutes instead of my initial 15.

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

Mr. VITTER. I stand to discuss my amendment to the omnibus spending bill, No. 621. My amendment would do something very simple and straightforward but important. It would change the present system which has been on the books since 1989 that puts annual pay raises for Members of Congress on autopilot, so there never has to be any inconvenient debate, any inconvenient votes whatsoever. They happen automatically. No votes. In fact, there is not even a line item in the appropriations bills about it.

My amendment would change that, would end that law to require that any pay raise for Members of Congress, House or Senate, would have to be debated in open before the public and then be followed by a rollcall vote.

I am honored to be joined by several Senators who support this idea and who have long tried to advance it. Senator FEINGOLD has a stand-alone bill, as do I. He has had it for several years. I certainly want to recognize his leadership and thank him for that. He is an original cosponsor of my amendment. Also Senators GRASSLEY and ENSIGN are original cosponsors of my amendment and our stand-alone bill.

This system of automatic, autopilot pay raises is offensive to the American people. Let me mention an experience I have had recently in Louisiana in the last several weeks. I have had well over a dozen townhall meetings, as I do on a regular basis all around the State. This past Friday I had two. The week before that during our recess week I had 12 all around the State.

As I went to parishes all around the State, smaller communities, Hahnville and Lake Providence, and larger places such as Gonzales in the Greater Baton Rouge area, I was struck by a message that came across loudly and clearly. The message was not about any one narrow issue, the message was the tone of all of those meetings. Because without exception, meeting after meeting after meeting, folks expressed not just concern, not just anxiety, folks expressed real anger about what was going on in our country, to our country; what was going on here in the Halls of Congress in Washington, DC.

If I had to summarize the tone I heard at these meetings, not directed at me because they knew my voting record, but directed at what is going on here in this city, the tone was, to quote that movie from several years ago, ''Network'': I am as mad as hell and I am not going to take it anymore.

That was the tone over and over and over again. And why was that? Well, it is pretty simple. People see their 401(k)s cut in half, people see their life savings dwindling every day. People are facing, in some cases, real crisis in their lives: losing jobs, losing homes, with it losing crucial things such as health care.

And yet up here in Congress, a majority in Congress rolls along with policy they view as enormously irresponsible, and in some cases, downright offensive. One thing they point to as downright offensive is this system of pay raises for Members of Congress being on autopilot, happening every year without the need for any inconvenient debate, without the need for any inconvenient vote, the system that has been in place under the law since 1989.

My amendment would change that. It would simply say: We want to have a raise, we need to talk about it, we need to justify it out in public, in the open, have that open debate, and then have an actual vote on the floor of the Senate, on the floor of the House, and have a full, open, recorded rollcall vote.

That is the way we should do it whenever we debate the issue and consider the issue. That sure as heck is the way we should do it in the midst of a horrible recession, what will only surely be the worst recession we have faced as Americans since World War II.

In this omnibus spending bill, we do have a provision to forgo the one raise coming next year, and I applaud the leadership of the House and Senate for at least agreeing to that and inserting that in the underlying bill. That is the least we could do. We should have done that last December as well.

We have been suffering this horrible economy for several months. We have seen the financial collapse in September. The economy continued to go down and down and down and yet still under this system, Congress had a significant $4,700 raise. So we should have done it then too. But at least this bill does it next time.

But, quite simply, that is not good enough. What is truly fair to the American people is to do away with this system altogether, to get these issues out in the open for public debate whenever we want them to come up and demand a rollcall vote on the issue.

That is what my amendment would do, purely and simply. My amendment is supported by Senators FEINGOLD, GRASSLEY, and ENSIGN. I urge Members, Democrats and Republicans, to support this commonsense reasonable amendment that the American people surely support overwhelmingly.

In closing, let me say, in supporting this amendment, be aware of a lot of diversions and a lot of distractions and a lot of tricks that will no doubt be put before us. On Thursday night here on the floor, I finally secured a vote on the amendment. I had been trying to get a vote all last week. It was a significant amendment to the omnibus spending bill. It is even germane. Trying to get a vote never could happen.

I have to tell you, it was pretty frustrating. I would tune in my TV in my office and hear over and over the leadership say: Come on down. We are open for business. We are open for amendments. We want to make amendments in order. And then when I would try to do that, the door was inevitably shut.

Well, finally on Thursday night I secured a vote on this amendment for the very simple reason that the distinguished majority leader needed unanimous consent in order to call off the vote that was scheduled for that evening and therefore had to agree to give me a vote to get that unanimous consent. I am happy that happened.

Then the next day a funny thing happened. Out of the blue, after denigrating it, quite frankly, in our exchange on the floor, the concept of my amendment the night before, the distinguished majority leader, backed by his leadership on the majority side, introduced a stand-alone bill that was almost exactly my amendment.

Well, don't get me wrong. I am delighted to get any converts, folks who have long supported the concept, recent converts. But let's not be fooled by how the stand-alone bill might be used and abused, pointed to saying, we will get to that. We will have a debate. We have this stand-alone bill. That is not the way to enact change in the law. We all know the way to enact this change into law, if we truly support it, is to support this amendment, to put it on a spending bill that must pass at the end of the day in some form, and to hold everyone's feet to the fire. If we truly want to pass it into law, I urge all of us to come together, particularly in this moment of enormous economic suffering across all of America, come together around this reasonable amendment and support amendment No. 621.

With that, I yield for my distinguished colleague from Iowa.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Madam President, I rise in support of the Vitter amendment. Just so colleagues of mine don't think I am a latecomer to this battle on pay raises, I want to refer to a debate that went on in the House of Representatives, July 30, 1975, my first term in the House. There was a noncontroversial bill that came up, referred to on page 25824, -825 and -826 of the CONGRESSIONAL RECORD for that day, a little noncontroversial postal safety bill came up for postal employees. Attached to that bill were the provisions of the law that have been a little bit changed in 1989 but go back to this postal bill in 1975, when included in it was a provision that is referred to here as section (c)(2):

> Effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5305 . . .

And I will not read the whole legislative language from the debate, but it essentially said that Members of Congress were going to get an automatic pay increase just as civil servants were already getting.

The stage on that day was set so that everybody was going to be on the floor of the House of Representatives. The idea of the Republican leadership and the Democratic leadership—and the Democrats were controlling the House at that time, with only 140 or 141 Republicans, as I recall—the idea was to get everybody on the floor so when unanimous consent was asked to bring up this bill, there would be unanimous consent and there wouldn't be a vote because everybody, even 34 years ago, didn't want to take a vote on raising pay; particularly, you didn't want to take a vote on the automatic increase in pay. So they had the stage all set. There are two words I want to refer you to after my name, ''Mr. GRASSLEY.'' This is after unanimous consent was asked for. I said:

> I object.

My point in objecting wasn't knowing whether I could kill that piece of legislation at that particular time. It was that I thought, as Senator VITTER thinks and as I think yet today, 34 years later, that if we are going to have a vote on a pay raise for a Member of Congress, we ought to have guts enough to stand up and cast a vote, yes or no.

Eventually, the bill passed that very day by just a 1-vote margin, 214 to 213. I remember after that vote there was a Mr. Hays, a Representative from Ohio, who was chairman of the Democratic Congressional Campaign Committee. It is still called the same thing today. He was chairman of it. He came up and he pointed to me and he said: We are going to get you. In other words, he was going to do everything he could as chairman of the Democratic Campaign Committee to defeat me in the next election. Well, he didn't defeat me in that next election, and I haven't been defeated since. That has nothing to do with it except I think I was reflecting what the attitude of the people at the grassroots of America was then, and I think Senator VITTER is expressing that same thing today. My colleagues at that time were not happy with me, and they probably aren't happy with what Senator VITTER is doing today. I thank him for going out in front.

Then, in the 1980s, I sponsored legislation to reform the system where the President could recommend a congressional pay increase and have it go into effect without a vote of Congress because that system needed to be reformed further. I worked with several of my colleagues who felt letting pay raises take effect without a vote was wrong. The system did get reformed as part of the 1989 ethics reform bill but not in the way we had proposed at that particular time. That act just put congressional pay raises on autopilot. The congressional pay raise now takes effect every year unless Congress specifically rejects it.

I have consistently voted for measures to deny all the congressional pay raises. However, in recent years Congress has not considered the annual spending bills on time or under regular order. This has denied us the typical opportunity to consider amendments as Senator VITTER is offering now.

This massive omnibus bill we are now considering is a result of the failure to consider any of the fiscal year 2009 appropriations bills separately and on time. As a result, Congress gets a 2.8-percent pay raise without a vote. At a time when many Americans are being forced to tighten their belts, this sends a very bad message. It makes Americans cynical about government. Congress seems totally out of touch, taking a pay raise when the people who pay our salaries are struggling to make ends meet. I completely understand the frustration because I hear it from my own constituents. That is why I support this amendment.

I am not saying Congress should never consider increases to keep pace with inflation. We don't want only people who are independently wealthy to be able to afford to serve in Congress. What we are saying with this amendment is that if Congress decides it needs a pay raise, we had better be prepared to justify it to our constituents. When it can't be justified, like now, when Americans are facing a dismal economy and Congress just voted to double the deficit, then the least we can do is not boost our own salary.

Article I, section 6, of the Constitution establishes that:

> Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law.

However, to prevent the conflict of interest inherent in Congress raising its own salary, the 27th amendment stipulates that:

> No law, varying the compensation for services of Senators and Representative, shall take effect, until an election of Representatives shall have intervened.

This amendment was submitted to the States in 1789 as part of what became known as the Bill of Rights but was not fully ratified by the necessary three-fourths of the States until 1992. The clear intent of the wise and forward-thinking men of 1789 was that the sitting Congress not be able to raise its own salary before the people could have their say. Congress should be held accountable.

The courts have ruled that the annual automatic congressional pay increase does not technically violate the 27th amendment, but it sure seems to violate the intentions of its authors. It is time to go back to the system originally envisioned by the Constitution without pay raises for Congress when the American people are not looking. In fact, I can't think of a better time to send that message to a public that is becoming increasingly cynical about the actions of the Congress.

I urge adoption of the Vitter amendment to take us back to pre-July 30, 1975, when Congress, by a 1-vote margin on an otherwise noncontroversial bill that was selected by the leadership of both the Republicans and Democrats at that time to let Congressmen get a pay raise without having a vote on it—that 1-vote margin was a controversy at that time, and I hope at this particular time we have a massive vote in support of this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. VITTER. I thank my colleague from Iowa. I thank him for all of his leadership on this issue for several years. I also recognize again the leadership of our cosponsors of the amendment, Senator FEINGOLD and Senator ENSIGN. Others will join us, but I ask all colleagues to support this amendment when we present it and vote on it tomorrow.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Mr. President, most Americans have a healthy understanding of the difference between a pay raise and a pay adjustment based on inflation.

Most Americans will tell you that when they do receive a pay adjustment to their wages, they do not consider it a raise; they consider it being held harmless against the impact of inflation.

The pay adjustment provided to Members of the House and Senate is based on a method established by the 1989 Ethics Reform Act that requires the annual adjustment be determined by a formula based on certain elements of the employment cost index, an index that measures inflation of wages.

Basically the formula is tied to the pay adjustments given to Federal employees under the General Schedule.

Further by law, and under no uncertain terms, Members cannot receive an adjustment greater than the increase provided in the base pay of our GS level Federal employees.

Understanding that the substance of the matter before us is not about pay raises for Members but about pay adjustments tied to inflation. Everyone in this Chamber also is aware of the economic situation we are facing as a Nation.

Because of this economic crisis, section 103 was included in the underlying bill, stating that Members of Congress will not receive a cost-of-living adjustment in fiscal year 2010.

We have proactively addressed the issue of a Member pay adjustment and the current economic situation.

To offer this amendment today is simply playing politics.

This amendment is about trying to make it appear as if Members are against prohibiting a pay adjustment for themselves, when in fact they already have prohibited a pay adjustment for themselves.

This amendment is about trying to change the underlying bill, knowing that the House has indicated they will not take this bill back up, in an effort to force the Government to operate under a continuing resolution for the remainder of the fiscal year.

If the Senator from Louisiana is successful in having his amendment adopted and killing enactment of the underlying bill, the prohibition against the Member pay adjustment for fiscal year 2010 will not be enacted into law.

Further our Federal agencies will have to decide between eliminating programs or firing employees as they absorb the 2009 cost increases at fiscal year 2008 funding levels.

This amendment does not do anything that is not already addressed in the underlying bill, and its passage could in fact jeopardize the steps that have been taken.

I encourage my colleagues not to take the political bait here, and vote against this amendment which appears to do one thing, but in fact creates exactly the opposite situation.

I yield the floor.

AMENDMENT NO. 668

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, I ask unanimous consent that the pending amendment be set aside and amendment No. 668 be made pending.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Wyoming [Mr. ENZI] proposes an amendment numbered 668.

Mr. ENZI. I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit the use of funds to modify certain HIV/AIDS funding formulas)

At the appropriate place in title II of division F, insert the following:

SEC. ____. Notwithstanding any other provision of this Act, no funds shall be made available under this Act to modify the HIV/AIDS funding formulas under title XXVI of the Public Health Service Act.

Mr. ENZI. Madam President, I rise to discuss amendment 668. This amendment relates to the Ryan White Program. We reauthorized that program 3 years ago. We did it on a very bipartisan basis. I need to expose how one person has once again overruled a bipartisan, bicameral effort to create fair and equitable funding mechanisms for the program. I did this last year. It was funneling money specifically to one area that had less people. The idea behind the bill was to make sure we had money for the people with HIV/AIDS, and the money is supposed to follow the people. Why do I bring this up? I was involved in the original reauthorization. We will be doing that reauthorization later this year. I can tell Members that Wyoming is not affected one way or the other by my amendment. But 46 States are affected by this amendment; 46 States are affected adversely if this amendment does not pass.

If anybody wonders which States those are, I am more than happy to tell them who the losers will be. And it will probably be a lot easier to say who the winners would be. I will get to that in a little bit.

The Ryan White CARE Act provides funding to States across this country to provide HIV/AIDS treatment, care, and prevention to individuals in need. In 2006, the committee reauthorized the program and established new bipartisan, bicameral funding formulas that provided more equity in the program. It required funding determinations to be made based on the number of people with HIV and AIDS. This is a major distinction.

Before 2006, funding was only based on AIDS cases. The Omnibus Appropriations Act includes a provision that will modify and dramatically change these bipartisan funding formulas. It allows larger cities to receive more Ryan White funding simply because they received more money in the past. The cities that had a high number of people with AIDS before 2006 will benefit, and those that have seen an increase in HIV and AIDS since 2006 will not be awarded the funding they need. Sadly, larger cities, most notably San Francisco, will receive more money than other cities for all the wrong reasons.

Unfortunately, this is not new language. We have seen it in the appropriations bills in the past. We know exactly what the language does. It primarily benefits San Francisco—a city that continues to receive funding to care for people who are deceased. All the while, nearly every other city would have reduced funding so San Francisco can receive more riches.

According to data put together by GAO—these are not my numbers; these are GAO's numbers, provided last Friday—so according to data put out by the Government Accountability Office, the language in the bill will ensure an additional $6.7 million will be awarded to San Francisco, while the other large cities will see a decrease in funding. I do not know why they did not ask to print $7 million more and put it in there instead of taking it from other people. That is kind of what we are doing these days.

That additional funding is not based on the number of people they are treating or how many new cases they have. As a hold-harmless provision, it is related to what that city has received before. Let me expand on that. If your city's problem is increasing, under the omnibus, you will get less money. You will be penalized if your city's HIV/AIDS problem is increasing. Now, if your city's problem is decreasing, according to the omnibus, you will get more money. If we are giving cities with more people with HIV/AIDS less funding, and cities with less people with HIV/AIDS more funding, how fair is that?

What is even more egregious is that after being exposed more than a year ago, someone has the audacity to include the language again. Of course, that may be because in conference they were able to get that pulled out and it happened anyway, even after a very substantial vote on this side of the building.

Our bipartisan reauthorization was based on a pretty simple idea: The

money should follow the patients. We modernized funding formulas in order to fight this deadly disease on its new front lines. More people in rural areas and the South, more women, and more African Americans are being infected with HIV/AIDS every day, and we made sure these populations could get the treatment they needed. It was a bipartisan, bicameral agreement. We were very clear about the implications of those new formula changes. In fact, we provided GAO reports with estimates on how the new formulas would change funding levels for grantees that were nearly identical to how the funding would be distributed today—but because of the language in the appropriations bill, it has not. Yes, that is how we did this vote last year, which, again, I repeat, Wyoming had no gain or loss in. We are not even involved in this issue. I have been involved in this issue trying to take care of HIV/AIDS patients. My amendment was taken out so the language can continue, and it is very unfair. It is unfair to the people in rural areas and the South, where more women, more African Americans are being infected with HIV/AIDS every day. We made sure treatment could be gotten. It passed this body. It passed the House. We agreed to these formulas. We were clear about the implications of the new formula changes. As I have mentioned, the GAO reports are practically the same this time as they were a year ago.

Those funding formulas included hold-harmless provisions to ensure that the formula funding would not decrease by more than 5 percent for anybody. Now, when we did that, I think we all thought that was going to be 5 percent for each of 3 years. As it turned out, it was a total of a 5-percent decrease over the 3 years for anybody. I would have preferred no hold-harmless provisions or ones that allowed for more dramatic fluctuations so the money could follow the HIV-infected person, but that was what we agreed on. That is the agreement we reached in this bipartisan, bicameral bill.

We did not pull the wool over anyone's eyes. We provided clear information about the implications of those funding formulas. We found the third way. Now, with one simple pen stroke, someone is again undoing all those carefully crafted bipartisan, bicameral compromises by inserting another hold-harmless provision with little thought to how this change would affect others. Last year we had the list of people, and we have that again, of who gains and who loses, and it was an easy vote to win.

This change does not allow money to follow the patient. It allows money to follow those who are in power. We want to change that with this amendment.

I do not know about you, but I find this reprehensible. This is simply unfair to those cities and States that are struggling to come up with the moneys for basic HIV/AIDS treatments. What is worse, the majority—well, what is worse is that this bill continues to cheat others. Not just once, not twice, but this would be the third year that San Francisco will have benefited from this language.

In 2007, I brought up this exact issue. A very strong majority of the Senate agreed with me. Unfortunately, it did not change. They are still willing to try to institute an unfair and unjust formula. I object to that provision and the implications of it.

We changed the formula to have money follow the problem. In 2007, we passed my amendment to focus the funding on people living with HIV/AIDS. Most of the people in this Chamber voted with me. Of the ones who are still here, it is a vast majority.

Now, I understand that after passing it with those kinds of numbers, it was dropped in conference. I understand that will probably happen this year too. But I do think we need to send the message and hope for fairness. Without this amendment, there will be no fairness.

You realize that—last year—only a couple of States have a city that is helped. Most of you will be contributing money from your cities to help those with declining problems. Where I come from that is called cheating. So if you wonder if your State gains or loses, check with me.

The amendment I am offering is simple. It states that the language in the omnibus bill will not change the funding formulas we agreed to in a bipartisan, bicameral process in 2006. If you support an equitable system that distributes funding on the true basis of need, I believe you should support my amendment.

Madam President, I ask unanimous consent that a letter from GAO to me dated March 6, 2009, and relevant material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GOVERNMENT ACCOUNTABILITY OFFICE,
Washington, DC, March 6, 2009.

Subject: Ryan White CARE Act: Estimated Effect of Proposed Stop-Loss Provision on Urban Areas

Hon. MICHAEL B. ENZI,
Ranking Member, Committee on Health, Education, Labor, and Pensions, U.S. Senate.

Hon. TOM A. COBURN,
U.S. Senate.

You asked us to estimate the effect on Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (CARE Act) funding to urban areas if certain stop-loss provisions are enacted. The CARE Act, administered by the Department of Health and Human Services's (HHS) Health Resources and Services Administration (HRSA), was enacted to address the needs of jurisdictions, health care providers, and people with human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS).[1] In December 2006, the Ryan White HIV/AIDS Treatment Modernization Act of 2006 (Modernization Act of 2006) reauthorized CARE Act programs for fiscal years 2007 through 2009.[2] In February 2009, the House of Representatives passed H.R. 1105, the Omnibus Appropriations Act, 2009, which contains a stop-loss provision covering CARE Act funding for urban areas that receive funding under the CARE Act.[3] This bill has not been passed by the Senate.

Under the CARE Act, funding for urban areas—Eligible Metropolitan Areas (EMA) and Transitional Grant Areas (TGA)[4]—is primarily provided through three categories of grants:

(1) formula grants that are awarded based on the case counts of people with HIV/AIDS in an urban area; (2) supplemental grants that are awarded on a competitive basis based on an urban area's demonstration of need, including criteria such as HIV/AIDS prevalence; and (3) Minority AIDS Initiative (MAI) grants, which are supplemental grants awarded on a competitive basis for urban areas to address disparities in access, treatment, care, and health outcomes. Changes in grantee characteristics and funding formulas can cause increases or decreases in grantees' funding.

H.R. 1105, which was passed by the House of Representatives on February 25, 2009, contains a provision to ensure that decreases in total 2008 Part A funding for fiscal year 2008 for each EMA and TGA would not exceed levels specified in the bill.[5] It would limit the total funding decrease for an EMA for the 2008 fiscal year to no more than 6.3 percent of what the EMA received for the 2006 fiscal year. Decreases for a TGA for the 2008 fiscal year would be limited to 11.3 percent of its total funding for fiscal year 2006.[6] The funding necessary to limit the decreases to urban areas would be given as increases to supplemental grants for fiscal year 2009.

To provide you with technical assistance, we developed an estimate of fiscal year 2009 Part A CARE Act funding for EMAs and TGAs with the stop-loss provision in H.R. 1105. We also developed an estimate of such funding without that provision. We used data from HHS, H.R. 1105, and an Explanatory Statement submitted by the Chairman of the House Committee on Appropriations to H.R. 1105 to estimate these amounts.[7] In order to conduct these analyses, we made a number of assumptions. These assumptions are described in notes to the accompanying tables. See enclosure I for estimates of Part A CARE Act funding for EMAs with and without the stop-loss provision. See enclosure II for estimates of Part A CARE Act funding for TGAs with and without the stop-loss provision.

The objective of this work was to provide pertinent and timely information by showing the effect of the stop-loss provision on EMAs and TGAs for fiscal year 2009 that Congress can use in determining funding for CARE Act programs. We used data from agency reference documents to conduct our analyses. Because of time constraints, we did not conduct any additional analysis of the proposed provision. We performed our work in March 2009.

We are sending copies of this letter to interested congressional committees. The letter will be available at no charge on GAO's Web site at http://www.gao.gov.

If you or your staff have any questions about this letter, please contact me. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this letter.

MARCIA CROSSE,
Director, Health Care.

Enclosures.

ENDNOTES

[1] Pub. L. No. 101–381, 104 Stat. 576 (codified as amended at 42 U.S.C. 300ff through 300ff–121). Unless otherwise indicated, references to the CARE Act refer to current law.

[2] Pub. L. No. 109–415, 120 Stat. 2767. The CARE Act programs had previously been reauthorized by the Ryan White CARE Act Amendments of 1996 (Pub. L. No. 104–146, 110 Stat. 1346) and the Ryan White CARE

Act Amendments of 2000 (Pub. L. No. 106–345, 114 Stat. 1319).

[3] H.R. 1105, 111th Cong. (2009). For purposes of this report, unless otherwise specified we use the term H.R. 1105 to refer to the bill as passed by the House of Representatives.

[4] In this report, we use the term urban areas to refer to both EMAs and TGAs. An EMA is a metropolitan area with a population of 50,000 or more that had more than 2,000 AIDS cases reported in the most recent 5-year period. The 2,000 AIDS-case criterion does not include cases of HIV that have not progressed to AIDS. In fiscal year 2008, there were 22 EMAs. The Modernization Act of 2006 created a new program for TGAs. A TGA is a metropolitan area with a population of 50,000 or more, which had 1,000 to 1,999 AIDS cases reported in the most recent 5-year period. Under this program, urban areas that were eligible for EMA funding in fiscal year 2006 but that no longer meet the eligibility criteria for either EMAs or TGAs maintain their eligibility for funding and are considered TGAs until for 3 consecutive years they (1) fail to have at least 1,000 to 1,999 AIDS cases reported in the most recent 5-year period and (2) do not have more than 1,500 living cases of AIDS. In fiscal year 2008, there were 34 TGAs according to HRSA.

[5] Part A of the CARE Act covers funding to urban areas. Part B covers funding to states, territories, and the District of Columbia.

[6] The stop-loss provision in H.R. 1105 states that ''within the amounts provided for Part A . . ., $10,853,000 is available . . . for increasing supplemental grants for fiscal year 2009 to metropolitan areas that received grant funding in fiscal year 2008 . . . to ensure that an area's total funding under [Part A to an EMA] for fiscal year 2008, together with the amount of this additional funding, is not less than 93.7 percent of the amount of such area's total funding under part A for fiscal year 2006, and to ensure . . . that an area's total funding under [Part A to a TGA] for fiscal year 2008, together with the amount of this additional funding, is not less than 88.7 percent of the amount of such area's total funding under part A for fiscal year 2006.'' Because the provision would apply to an EMA's or TGA's ''total funding'' under Part A, we consider the total amount subject to the stop-loss provision to be formula, supplemental, and MAI grants made with Part A funds. MAI grants are authorized by 42 U.S.C. 300ff–121, which specifically directs HHS to provide funding under Part A.

[7] 155 Cong. Rec. H1653, H2377 (daily ed. Feb. 23, 2009) (statement of Rep. Obey).

Enclosure I

Total Eligibl Metropolitan Area Formula, Supplemental, and Minority AIDS Initiative Grants for Fiscal Year 2006, Fiscal Year 2008, and Projected Funding for Fiscal Year 2009 under Part A Funding Levels Identified in the Explanatory Statement to H.R. 1105

Eligible Metropolitan Area (EMA)	Fiscal year 2006 funding	93.7 percent of fiscal year 2006 funding[a]	Fiscal year 2008 funding	H.R. 1105: Estimated fiscal year 2009 funding before applying stop-loss[b]	H.R. 1105: Estimated stop-loss	H.R. 1105: Estimated fiscal year 2009 funding after applying stop loss	Estimat d fiscal y ar 2009 funding without H.R. 1105 stop-loss provision in place
Atlanta, Ga.	$18,869,561	$17,680,779	$17,942,992	$18,337,471	$0	$18,337,471	$18,660,212
Baltimore, Md.	20,628,895	19,329,275	20,594,272	23,889,479	0	23,889,479	24,292,574
Boston, Mass.	13,339,141	12,498,775	14,027,340	16,274,966	0	16,274,966	16,564,752
Chicago, Ill.	25,044,633	23,466,821	26,632,351	30,882,913	0	30,882,913	31,427,282
Dallas, Tex.	13,196,377	12,365,005	13,547,516	15,792,149	0	15,792,149	16,070,891
Detroit, Mich.	8,428,477	7,897,483	8,055,626	9,201,600	0	9,201,600	9,360,130
Ft. Lauderdale, Fla.	14,963,638	14,020,929	15,171,291	17,501,950	0	17,501,950	17,810,954
Houston, Tex.	19,953,520	18,696,448	20,094,436	22,938,330	0	22,938,330	23,338,238
Los Angeles, Calif.	34,895,377	32,696,968	36,013,941	41,310,363	0	41,310,363	42,038,454
Miami, Fla.	23,999,914	22,487,919	24,974,906	28,478,276	0	28,478,276	28,964,002
New Orleans, La.	7,434,812	6,966,419	7,669,652	8,838,306	0	8,838,306	8,994,183
New York, N.Y.	120,423,326	112,836,656	111,883,651	114,607,968	953,005	115,560,973	116,582,701
Newark, N.J.	14,752,254	13,822,862	14,038,197	15,447,478	0	15,447,478	15,713,291
Orlando, Fla.	8,561,273	8,021,913	7,968,264	9,047,025	53,649	9,100,674	9,204,349
Philadelphia, Pa.	22,384,551	20,974,324	22,773,161	25,550,597	0	25,550,597	25,994,618
Phoenix, Ariz.	6,519,338	6,108,620	7,522,978	8,762,472	0	8,762,472	8,923,024
San Diego, Calif.	9,269,256	8,685,293	10,955,986	12,877,535	0	12,877,535	13,109,380
San Francisco, Calif.	27,964,864	26,203,078	19,419,733	19,722,536	6,783,345	26,505,881	19,815,968
San Juan, P.R.	13,470,347	12,621,715	12,877,445	13,087,902	0	13,087,902	13,148,287
Tampa–St. Petersburg, Fla.	9,571,830	8,968,805	9,524,707	10,465,933	0	10,465,933	10,652,830
Washington, D.C.	26,923,066	25,226,913	27,911,311	31,591,530	0	31,591,530	32,142,719
West Palm Beach, Fla.	8,276,018	7,754,629	8,352,071	8,602,738	0	8,602,738	8,753,459
Total	**$468,870,468**	**$439,331,629**	**$457,951,827**	**$503,209,515**	**$7,789,999[c]**	**$510,999,514**	**$511,562,296**

Source: GAO analysis of HHS data, H.R. 1105, and the Explanatory Statement to H R 1105.

Notes: The projected fiscal year 2009 funding in this table is based on the funding amount for urban areas identified in the Explanatory Statement to H.R. 1105. We assumed that the percent of Part A funding allotted to EMAs and the percent allotted to Transitional Grant Areas (TGA) in fiscal year 2009 would be the same as the percent allotted to each in fiscal year 2008.

Because updated human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) case counts were not available, we used the HIV/AIDS case counts that Health Resources and Services Administration (HRSA) used to determine fiscal year 2008 funding.

We cannot determine the exact effect of the stop-loss provision on total funding for each EMA for fiscal year 2009. It is not possible to determine exactly how each EMA would be affected by the 6.3 percent stop-loss for EMAs because it is not known how HRSA will award fiscal year 2009 supplemental and Minority AIDS Initiative (MAI) grants and because the case counts on which formula grants will be based are not yet available.

To estimate fiscal year 2009 supplemental funding for EMAs, we calculated the percent of fiscal year 2008 total funding that each area's fiscal year 2008 supplemental funding represented. We then multiplied that percentage by the estimated total supplemental funding to be available for distribution in fiscal year 2009. For example, if an EMA received 2 percent of the total supplemental funding available for distribution to EMAs in fiscal year 2008, then we estimated that area's supplemental funding in fiscal year 2009 to be 2 percent of the amount of supplemental funding available for distribution to EMAs.

We based our estimate of fiscal year 2009 MAI funding for EMAs on the amount to be reserved for fiscal year 2009 Part A MAI funding in the Ryan White HIV/AIDS Treatment Modernization Act of 2006 (Modernization Act of 2006). (The exact amount used was 95.985 percent of the amount specified in the Modernization Act of 2006. This amount was used because this was the percent of the amount specified in the Modernization Act of 2006 for fiscal years 2007 and 2008 that had been distributed in those years.) We calculated the percent of fiscal year 2008 total funding that each area's fiscal year 2008 MAI funding represented. We then multiplied that percentage by the estimated total MAI funding to be available for distribution in fiscal year 2009. For example, if an EMA received 2 percent of the total MAI funding available for distribution to EMAs in fiscal year 2008, then we estimated that area's MAI funding in fiscal year 2009 to be 2 percent of the amount of supplemental funding available for distribution to EMAs.

[a]Under the stop-loss provision in H.R. 1105, an EMA is ensured that its total formula, supplemental, and MAI grants for fiscal year 2008 would not be less than 93.7 percent of what it received for fiscal year 2006.

[b]The total funding that an EMA would receive in fiscal year 2009 with the stop-loss provision in place can be found by adding the amount in this column to the amount in the column titled "H.R. 1105: Estimated stop-loss."

[c]We estimate the funding needed to satisfy the H.R. 1105 stop-loss provision for both EMAs and TGAs to be $11,130,937. However, the amount specified in H.R. 1105 to cover the stop-loss provision is $10,853,000, a difference of $277,937. See enclosure II for the funding needed to satisfy the stop-loss provision for TGAs.

Enclosure II

Total Transitional Grant Area Formula, Supplemental, and Minority AIDS Initiative Grants for Fiscal Year 2006, Fiscal Year 2008, and Projected Funding for Fiscal Year 2009 under Part A Funding Levels Identified in the Explanatory Statement to H.R. 1105

Transitional Grant Area (TGA)	Fiscal year 2006 funding	88.7 percent of fiscal year 2006 funding[a]	Fiscal year 2008 funding	H.R. 1105: Estimated fiscal year 2009 funding before applying stop-loss[b]	H.R. 1105: Estimated stop-loss	H.R. 1105: Estimated fiscal year 2009 funding after applying stop loss	Estimated fiscal year 2009 funding without H.R. 1105 stop-loss provision in place
Austin, Tex.	$3,719,076	$3,298,820	$3,780,228	$4,162,255	$0	$4,162,255	$4,232,183
Baton Rouge, La.	0	0	3,235,045	3,558,823	0	3,558,823	3,617,603
Bergen-Passaic, N.J.	4,485,650	3,978,772	3,772,874	4,151,023	205,898	4,356,920	4,219,835
Caguas, P.R.	1,648,356	1,462,092	1,063,691	1,167,262	398,401	1,565,663	1,185,745
Charlotte-Gastonia, N.C.-S.C.	0	0	4,676,968	5,143,544	0	5,143,544	5,228,264
Cleveland, Ohio	3,349,096	2,970,648	3,911,591	4,302,543	0	4,302,543	4,373,547
Denver, Colo.	4,283,042	3,799,058	7,298,643	8,048,873	0	8,048,873	8,187,495
Dutchess County, N.Y.	1,367,584	1,213,047	1,155,700	1,269,994	57,347	1,327,341	1,290,615
Fort Worth, Tex.	3,409,819	3,024,509	3,588,582	3,952,428	0	3,952,428	4,019,120
Hartford, Conn.	4,666,281	4,138,991	3,185,949	3,503,924	953,042	4,456,966	3,561,619
Indianapolis, Ind.	0	0	3,587,145	3,952,045	0	3,952,045	4,019,096
Jacksonville, Fla.	4,913,816	4,358,555	4,826,190	5,308,171	0	5,308,171	5,395,750
Jersey City, N.J.	5,145,142	4,563,741	4,593,150	5,048,353	0	5,048,353	5,130,699
Kansas City, Mo.	2,916,485	2,586,922	4,011,340	4,420,666	0	4,420,666	4,496,001
Las Vegas, Nev.	4,323,627	3,835,057	4,552,895	5,017,196	0	5,017,196	5,102,314
Memphis, Tenn.	0	0	5,859,876	6,438,653	0	6,438,653	6,543,133
Middlesex-Somerset-Hunterdon, N.J.	2,595,663	2,302,353	2,462,767	2,711,055	0	2,711,055	2,756,415
Minneapolis–St. Paul, Minn.	3,046,512	2,702,256	4,675,211	5,148,836	0	5,148,836	5,235,593
Nashville, Tenn.	0	0	3,743,376	4,123,916	0	4,123,916	4,193,729
Nassau-Suffolk, N.Y.	6,148,307	5,453,548	4,811,511	5,295,773	642,037	5,937,810	5,384,059
New Haven, Conn.	6,684,594	5,929,235	5,209,416	5,735,036	719,819	6,454,855	5,831,010
Norfolk, Va.	4,414,760	3,915,892	5,360,103	5,898,719	0	5,898,719	5,996,942
Oakland, Calif.	5,735,837	5,087,687	5,867,538	6,462,486	0	6,462,486	6,570,622
Orange County, Calif.	4,858,579	4,309,560	5,332,920	5,877,173	0	5,877,173	5,976,553
Ponce, P.R.	2,391,444	2,121,211	1,926,154	2,117,579	195,057	2,312,636	2,152,253
Portland, Ore.	3,401,956	3,017,535	3,310,036	3,714,698	0	3,714,698	3,779,492
Riverside–San Bernardino, Calif.	7,074,521	6,275,100	6,949,457	7,667,837	0	7,667,837	7,800,012
Sacramento, Calif.	2,778,729	2,464,733	2,325,684	2,565,172	139,049	2,704,221	2,609,095

Enclosure II

Transitional Grant Ar a (TGA)	Fiscal year 2006 funding	88.7 percent of fiscal year 2006 funding[a]	Fiscal year 2008 funding	H.R. 1105: Estimated fiscal year 2009 funding before applying stop-loss[b]	H.R. 1105: Estimated stop-loss	H.R. 1105: Estimated fiscal year 2009 funding after applying stop loss	Estimated fiscal year 2009 funding without H.R. 1105 stop-l ss provision in place
San Antonio, Tex.	3,325,881	2,950,056	3,969,302	4,368,560	0	4,368,560	4,441,414
San Jose, Calif.	2,304,762	2,044,324	2,578,512	2,841,808	0	2,841,808	2,889,886
Santa Rosa, Calif.	1,028,634	912,398	1,072,099	1,182,455	0	1,182,455	1,202,669
Seattle, Wash.	5,445,484	4,830,144	6,316,558	6,969,212	0	6,969,212	7,089,141
St. Louis, Mo.	4,502,572	3,993,781	5,796,624	6,098,186	0	6,098,186	6,199,596
Vineland-Millville-Bridgeton, N.J.	849,715	753,697	723,408	795,232	30,289	825,521	808,204
Total	**$110,815,924**	**$98,293,725**	**$135,530,543**	**$149,019,485**	**$3,340,938[c]**	**$152,360,424**	**$151,519,703**

Source: GAO analysis of HHS data, H.R. 1105, and the Explanatory Statement to H.R. 1105.

Notes: The projected fiscal year 2009 funding in this table is based on the funding amount for urban areas identified in the Explanatory Statement to H.R. 1105. We assumed that the percent of Part A funding allotted to Eligible Metropolitan Areas (EMA)and the percent allotted to TGAs in fiscal year 2009 would be the same as the percent allotted to each in fiscal year 2008.

Because updated human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) case counts were not available, we used the HIV/AIDS case counts that Health Resources and Services Administration (HRSA) used to determine fiscal year 2008 funding.

We cannot determine the exact effect of the stop-loss provision on total funding for each TGA for fiscal year 2009. It is not possible to determine exactly how each TGA would be affected by the 11.3 percent stop-loss provision for TGAs because it is not known how HRSA will award fiscal year 2009 supplemental and Minority AIDS Initiative (MAI) grants and because the case counts on which formula grants will be based are not yet available.

To estimate fiscal year 2009 supplemental funding for TGAs, we calculated the percent of fiscal year 2008 total funding that each area's fiscal year 2008 supplemental funding represented. We then multiplied that percentage by the estimated total supplemental funding to be available for distribution in fiscal year 2009. For example, if a TGA received 2 percent of the total supplemental funding available for distribution to TGAs in fiscal year 2008, then we estimated that area's supplemental funding in fiscal year 2009 to be 2 percent of the amount of supplemental funding available for distribution to TGAs.

We based our estimate of fiscal year 2009 MAI funding for TGAs on the amount to be reserved for fiscal year 2009 Part A MAI funding in the Ryan White HIV/AIDS Treatment Modernization Act of 2006 (Modernization Act of 2006). (The exact amount used was 95.985 percent of the amount specified in the Modernization Act of 2006. This amount was used because this was the percent of the amount specified in the Modernization Act of 2006 for fiscal years 2007 and 2008 that had been distributed in those years.) We calculated the percent of fiscal year 2008 total funding that each area's fiscal year 2008 MAI funding represented. We then multiplied that percentage by the estimated total MAI funding to be available for distribution in fiscal year 2009. For example, if a TGA received 2 percent of the total MAI funding available for distribution to TGAs in fiscal year 2008, then we estimated that area's MAI funding in fiscal year 2009 to be 2 percent of the amount of supplemental funding available for distribution to TGAs.

[a]Under the stop-loss provision in H.R. 1105, a TGA is ensured that its total formula, supplemental, and MAI grants for fiscal year 2008 would not be less than 88.7 percent of what it received for fiscal year 2006.

[b]The total funding that a TGA would receive in fiscal year 2009 with the stop-loss provision in place can be found by adding the amount in this column to the amount in the column titled "H.R. 1105: Estimated stop-loss."

[c]We estimate the funding needed to satisfy the H.R. 1105 stop-loss provision for both EMAs and TGAs to be $11,130,937. However, the amount specified in H.R. 1105 to cover the stop-loss provision is $10,853,000, a difference of $277,937. See enclosure I for the funding needed to satisfy the stop-loss provision for EMAs.

Mr. ENZI. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

AMENDMENT NO. 630

Mr. KERRY. Madam President, I rise to talk about two amendments offered by the good Senator from Arizona, Mr. KYL, amendment No. 630 and amendment No. 629. I say to my friend from Arizona that I regret to sort of be in the position of opposing a couple of his amendments because these are subjects I would have loved to have worked with him on closely and I appreciate the relationship we have and the conversations we have had recently about a number of very important issues in front of the Senate.

So I find myself a little bit in an uncomfortable position, but nevertheless a necessary one, because, first of all, on amendment No. 630—which refers to the issue of requiring a report on whether more United States assistance to Egypt is going to improve Egyptian efforts to counter illicit smuggling in Gaza—we all agree we have to increase the efforts with respect to smuggling.

In fact, we agree so much that over the course of the last administration, and now continuing into this one, we have entered into new agreements with the Egyptians, with new technical means that are going to be applied to this effort, with an increased effort that is going to be taking place right now.

But the problem with the amendment is—it is a well-intended amendment, but again everyone here understands what the effect of this amendment is going to be. It is simply to keep us, if it were to pass, from enacting this bill before the current continuing resolution expires. Because given what we have heard from the House, a vote for the amendment is effectively a vote against the Omnibus appropriations bill and a vote for a year-long continuing resolution at last year's funding levels. That is what is at stake here.

But going from there, given the fact there are so many priorities in this bill we want to pass, and we need to, let me talk for a moment about the substance, just on the substance itself. I personally do not think this is the best moment or best way to go about achieving what we want to achieve with the Egyptians, who have been particularly helpful at this moment with respect to the efforts to try to seek Hamas-Fatah reconciliation, and particularly helpful with respect to some of the issues on the border at Rafah and with respect to the tunnels.

Moreover, the bill that is in front of us states that ''not less than $1,300,000,000 shall be made available for grants only for Egypt, including for border security programs and activities in the Sinai.'' So there is additional money here. There is money available to be spent on this task.

It also reflects the fact we have recently upgraded our efforts with Egypt. I think if we come along now and pass this amendment, we wind up saying that the efforts we have made are insufficient, and it is a slap in the face to the Egyptians in the process. So this is a sensitive time. It is an important time. I hope Egypt's good interventions—and I recently was in Egypt. I met with President Mubarak. I met with General Suleiman and the people involved directly in this effort. I am absolutely confident about their focus on the border, as well as their focus on these reconciliation efforts. So in the context of those efforts, this amendment is, frankly, not helpful to the broader interests in the region at this moment.

AMENDMENT NO. 629

The second amendment, No. 629, would prohibit the use of any funds in the omnibus to resettle Palestinians from Gaza into the United States.

Now, let me first point out, in 2008 the United States did not resettle anyone from Gaza. So this is an amendment, this is a solution in search of a problem. The fact is, there is no problem currently. But let's assume—let's assume for the purposes of argument—in the future a Palestinian escaped from Gaza to get away from Hamas oppression and applied to be resettled in the United States. This amendment would prevent that resettlement.

Now, obviously, any Palestinian refugee ought to be subjected to a complete and thorough battery of security checks, screens, background checks, as we do already for any refugee from anywhere. And, of course, we want to be assured that an asylum seeker does not have ties with Hamas, with Islamic Jihaddists or any other terrorist organization.

But the point is, we already have exactly those kinds of security screens and background checks. We have them in the regular Department of Homeland Security resettlement procedures. So I see no reason to make an exception to the normal procedures that suddenly singles out a resident of Gaza. It also sends a message, not just of indifference, but, frankly, of hostility to tens of thousands of Palestinians in Gaza who are victims of Hamas.

Now, I just was in Gaza. I became—unbeknownst to me; I did not realize it at the time—the highest ranking American to go into Gaza in something like 8 or 9 years, and I saw thousands of kids roaming around the rubble of Gaza. I met with Fatah businessmen and others, with people who are struggling to make ends meet and pull their lives together. If one of them were to escape because of the oppression of Hamas and wanted to come to the United States, it would seem, given the daily deprivations and brutality of Hamas militants, the United States, commensurate with our highest values and the traditions of this country, would not want to refuse the possibility of asylum to those folks. In fact, this amendment assumes that every resident of Gaza, regardless of age, background, political opinion or any other distinguishing characteristic, is pro-Hamas and ineligible for consideration for resettlement in the United States, even if they are lucky enough to escape from Gaza. It ignores the fact that a whole bunch of folks in Fatah were killed by Hamas and some of them knee-capped and otherwise assaulted in the course of the recent war because they weren't part of Hamas.

It is unnecessary. There are ample laws on the books which prohibit entry into the United States of any person who has been involved in terrorism or other crimes. During the Cold War, we did not bar Russians from coming to the United States, just as we don't bar Cubans or North Koreans from entering the United States, even though they live in oppressive regimes that we object to—or did live, in the case of the Soviet Union, in that situation. This amendment, therefore, is not only unnecessary but it would establish for the first time since the passage of the 1980 Refugee Act a law that discriminates against a particular nationality in a particular geographic region.

I urge my colleagues to vote against both these amendments, and I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Madam President, while my colleague from Massachusetts is still here, let me advise him of two things with respect to amendment No. 629. First of all, it was certainly not my intention that we deal individually with political asylees, but the amendment could have been read that way and I appreciate the point. Secondly, it was a response to a news story which gained a great deal of attention from my constituents related to the January 30 order by the President, ordering $20 million for urgent relief efforts to provide migration assistance to Palestinian refugees. That has gotten a lot of attention from folks. They wanted to know what we were doing.

We have talked to the State Department, and while I haven't withdrawn the amendment yet, we have received assurances from them orally that—and I believe and hope we will receive assurances in writing—that was not the intention of that order. Assuming that is the case, there would be no need for the amendment, and it would be my intention tomorrow to withdraw it. I hope they will have something to us in writing. If not, if they have a spokesman of high enough authority to provide the assurance orally, that will suffice as well, but we will want to get that.

I will speak to the other amendment, but I wished to respond to my colleague.

Mr. KERRY. Madam President, I appreciate the comments of the Senator. As I said, I know he works reasonably on these things and I look forward to working with him on it and I thank him.

AMENDMENT NO. 630

Mr. KYL. Madam President, if my colleague would like to hear a brief comment with regard to amendment No. 630, although I don't need to hold him here, it will be my intention to get a vote on that amendment. Let me explain why, even though I certainly recognize the validity of some of the points made by the Senator from Massachusetts.

This amendment deals with a problem that was violently brought to our attention again when the cease-fire between Hamas and Israel was broken and hundreds of rockets were again rained down on Israel, most of which had been smuggled across the Sinai and into the Gaza Strip; many of the weapons having come from Iran, or at least groups sponsored by Iran. We have partially, as a result—in fact, significantly, as a result of the assistance that I know the Senator from Massachusetts has supported, and we have all supported, to Egypt—gotten a lot of cooperation from Egypt in helping to bring this smuggling to a much lower level than it otherwise would have been. I am very cognizant of that. I have thanked the Egyptian Government for its efforts, and we want to continue to thank them for those efforts. The problem is smuggling does continue.

All this amendment does is to ask for a report about what other uses this money could be put to, to help the Egyptians, the Israelis, the United States, and others who engaged in the effort to stop the smuggling from the Sinai through primarily tunnels but by other means as well into Gaza so Israel can no longer be threatened. The amendment is not to denigrate these efforts of the Egyptians in any way. I understand there is some sensitivity by folks at the State Department, for example, that the amendment may look like we are not grateful for those efforts. Quite to the contrary. But I do think—and I will be happy to read some news reports—that illustrates it is the view of the Israeli Government that this smuggling is continuing and will continue unless more is done, including by the Egyptians. So the purpose of the amendment is simply to keep track of what else we might do to try to stop the smuggling.

If my colleague would like to intercede at this point, I would be happy to hear his comments.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, I understand what the Senator is saying. Again, I was just in Israel and I know the smuggling continues. We all understand that.

Immediately after the war, the Hamas folks immediately began to try to restore those tunnels, and we understand that. But there are specific steps now to counter that in new means which I will not go into here on the floor of the Senate—I can't. But Egypt has agreed to engage in a significantly ratcheted-up effort. Since there is additional money and that is exactly what is contained, again, I say this is unnecessary, particularly given the impact that this might have on this bill if it were to pass.

So we have three reasons there. One, the problem is being addressed. Two, it does have an impact on the Egyptians in terms of what they have already agreed to, given the fact that we have agreed to it. Three, it has a huge damaging impact on the overall omnibus bill we are trying to pass. But I thank my friend.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Madam President, I certainly acknowledge what my colleague has said. Let me quote from one news article which illustrates the reason why I think we need to do this. This is from March 3—very recent—from the Jerusalem Post. The authors of the article talk about Hamas's ongoing smuggling into Gaza—ongoing. They talk about the persistence of Hamas arms smuggling which almost ensures a resumption of hostilities in Gaza. That is the point of this: to try to prevent more hostilities. If those weapons are not smuggled into Gaza, they are not going to rain them down on the people of Israel and there won't be a need for Israel to engage in any hostilities. I am afraid that if it continues, they would have no choice but to try to defend itself.

I will conclude with these two paragraphs in this one article:

> In most cases, following the exposure of a tunnel, Egyptian forces have either placed a guard at the mouth of the tunnel or blocked the tunnel's entrance rather than taking steps to demolish the tunnel completely. As such, smugglers have been able to employ these tunnels again after a short interval. When a tunnel entrance has been blocked, diggers typically cut a new access channel nearby and connect it with the existing tunnel closer to the border.
>
> In addition, there is no evidence that Egyptian forces are taking steps to arrest and punish smugglers. These rings are rarely broken up, and in the absence of lengthy jail terms, there is little deterrence.

I ask unanimous consent that three of these similar reports be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Jerusalem Post, Jan. 1, 2009]

LATEST ROCKETS MANUFACTURED IN CHINA

(By Yaakov Katz)

The Grad-model Katyusha rockets that were fired into Beersheba on Wednesday were manufactured in China and smuggled into Gaza after the Sinai border wall was blown up by Hamas in January, defense officials said.

The Chinese rockets have a range of 40 kilometers. They are very similar to the 122 mm Soviet-made Katyusha that was used extensively by Hizbullah during the Second Lebanon War and are slightly more sophisticated than an Iranian-made Grad-model Katyusha that is also in Hamas's arsenal.

The four rockets that hit Beersheba this week were filled with metal balls that can scatter up to 100 meters from the impact site, officials said. These rockets have also been fired into Ashkelon and Ashdod.

The three countries that manufacture Grad-model Katyushas are China, Russia and Bulgaria.

Defense officials told The Jerusalem Post the rockets were smuggled into Gaza in the 12 days after Hamas blew a hole in the border wall between Gaza and Egypt on January 23.

''Huge quantities of weaponry were smuggled into Gaza then from above ground, including the Grad rockets,'' an official said, adding that even after the border wall was sealed, Hamas continued to smuggle the long-range rockets into Gaza via tunnels under the Philadelphi Corridor.

From China, the rockets make several stops before reaching Gaza. In many cases, officials said, they are bought by Iran or Hizbullah and then transferred to Sinai.

In some instances, the Shin Bet (Israel Security Agency) has learned of weapons that came from Yemen and Eritrea, were moved to Sudan, then north to Egypt, and finally smuggled into Gaza.

''This is a complicated smuggling system that involves many different people around the world,'' one official said.

The Grad-model Katyushas, officials said, were packed with large quantities of ammonia and less-than-maximum explosives to increase their durability and lethality.

Last Thursday, Egyptian Foreign Minister Ahmed Aboul Gheit told Foreign Minister Tzipi Livni that Cairo was not responsible for Hamas's military buildup and that the long-range rockets in the group's arsenal were not smuggled through the tunnels from Sinai.

Defense officials said. Wednesday that Aboul Gheit was partially correct, in that some of the rockets did not come into Gaza through tunnels, but that they did enter the Strip from Sinai.

[From the Jerusalem Post, Mar. 3 2009]

ANALYSIS: WHEN IT COMES TO TUNNELS, EGYPT STILL HAS ITS HEAD IN THE SAND

(By Yoram Cohen and Matthew Levitt)

This week's Egyptian-hosted international conference on the reconstruction of the Gaza Strip underlined that the rehabilitation of Gaza is high on the international community's agenda.

But the implementation of any rebuilding project may be premature. Indeed, given Hamas's ongoing weapons smuggling into Gaza, Israel's mid-January unilateral ceasefire may be short-lived.

Although the United States and Israel reached an agreement on January 16 to counter the smuggling, Egypt and Israel have yet to forge a similar understanding. The persistence of Hamas's arms-smuggling almost ensures an eventual resumption of hostilities in Gaza.

Beyond small arms, Israeli intelligence estimates that some 250 tons of explosives, 80 tons of fertilizer, 4,000 rocket-propelled grenades, and 1,800 rockets were transported from Egypt to Gaza from September 2005 to December 2008.

According to Israeli figures, from June 2007 to December 2008, Hamas increased not only the quantity but also the quality of its arsenal in Gaza, improving the performance of its improvised explosive devices and expanding the distance and payload capabilities of its Kassam rocket warheads.

Most small-range rockets fired from Gaza prior to and during the recent conflict were locally produced. However, over the past year, Hamas has acquired a formidable collection of imported 122-mm. rockets—the longer-range Grads—brought in piecemeal through tunnels and reassembled in Gaza.

These Grads, an Iranian-produced version of the Chinese-designed rocket, increase the reach of Hamas into Israel, making them a sought-after commodity and well worth the effort and expense of smuggling them all the way from Iran.

According to Israeli assessments, the arms-smuggling network is directed by Hamas offices in Damascus and aided by Iran's Islamic Revolutionary Guard Corps (IRGC), which provides the majority of the weaponry.

The arms travel overland to Egypt through a variety of routes that cross Yemen, Eritrea, Ethiopia, and South Africa and eventually meet in Sudan, where they are moved to Egypt's Sinai desert. After the material enters the Sinai, it is transferred into Gaza via tunnels underneath the Philadelphi Corridor.

Less frequently, arms are moved to Gaza via the Mediterranean Sea. The weapons are deposited in waterproof barrels submerged below the surface and tied to buoys eventually retrieved by fishermen.

Despite recent improvements to the countersmuggling effort in the Sinai, Egypt is averse to recognizing the severity of the issue. Egypt's approach to countering Hamas's extensive network of smuggling tunnels has been tentative, generally limited to exposing tunnel openings and seizing weapons arsenals inside the Sinai Peninsula.

In most cases, following the exposure of a tunnel, Egyptian forces have either placed a guard at the mouth of the tunnel or blocked the tunnel entrance, rather than taking steps to demolish the tunnel completely. As such, smugglers have been able to employ these tunnels again after a short interval. When a tunnel entrance has been blocked, diggers typically cut a new access channel nearby and connect with the existing tunnel closer to the border.

In addition, there is no evidence that Egyptian forces are taking steps to arrest and punish smugglers. These rings are rarely broken up, and in the absence of lengthy jail terms, there is little deterrence.

Moreover, cooperation between Egypt and Israel has been lacking. In mid-February, for example, Egypt announced it would not send a delegation to Israel as originally planned to discuss anti-smuggling and cease-fire negotiation efforts. Although Israel recognizes an effort is being made—Shin Bet (Israel Security Agency) chief Yuval Diskin told the cabinet on February 15 that Egyptian actions are indeed combating arms smuggling—Israeli officials note that the effort is, at best, ''slow.''

Finally, the United States has provided Egypt with various technological devices—such as seismographic sensors—to expose the tunnels, but Egyptian forces still require training to make full use of these tools.

It is imperative that Egypt recognize that arms smuggling is not just an Israeli issue but an Egyptian national security priority. The head of the Egyptian parliament's foreign relations committee said on December 3, 2008 that it would not allow an Islamic state on its northern border. If arms smuggling continues, however, such an outcome will become more likely.

As such, Egypt needs to adopt a sustained and effective approach to its activities countering the movement of weapons from Sudan to the Sinai Peninsula, as well as the tunnels themselves. First, Egypt should close these tunnels for good rather than temporarily securing them. At the same time, Egyptian security forces should arrest smugglers, target their networks, and impose stricter penalties for these illegal activities. Finally, Egypt should better publicize these efforts to create a deterrent effect.

More effective bilateral cooperation between Israel and Egypt, with US oversight and active involvement, should be initiated. Discussions between all three parties would go a long way toward increasing coordination and efforts to combat this threat.

In this regard, the United States could play an important role as a watchdog, providing periodic reports on the effectiveness of Egyptian and Israeli action. Perhaps most importantly, the three countries' intelligence services should join forces and share information to successfully combat the Hamas weapons-smuggling networks.

Much of the weaponry is provided by Iran, and specifically by the IRGC, increasing Iran's regional influence while threatening the position of Fatah in Palestinian politics. Dealing effectively with these tunnel systems could curtail Iranian influence. Conversely, if Gaza remains a terror base—a safe haven for extremists and global jihadists—regional instability and Palestinian suffering will surely grow.

[From Haaretz, Feb. 26, 2009]

GAZA ROCKETS STRIKE NEGEV; IAF RETURNS FIRE

(By Amos Harel and Anshel Pfeffer)

While talks between rival Palestinian factions continue in Cairo, a near-daily ritual continues of Gaza militants firing Qassam rockets and the Israel Air Force retaliating by striking smuggling tunnels along the Philadelphi route.

Yesterday morning. two rockets landed in open fields in the Eshkol region, causing neither casualties nor damage. In the ensuing air strikes, an Israel Defense Forces spokesman said, pilots reported seeing secondary blasts from the smuggling tunnels, indicating that they contained explosives.

Security officials said yesterday the extended waiting period for a cease-fire agreement between Israel and Hamas could undermine the relative calm that currently prevails in the Gaza Strip.

Egypt has been trying to broker a long-term cease-fire between Israel and Hamas in the aftermath of Israel's 22-day military offensive.

The officials said Hamas look steps to reduce the rocket fire from smaller militant factions after Israel's withdrawal from Gaza. However, since then, the group has noticeably cut down its efforts. They added that Egypt is making only limited attempts to stem the tide of weapons flowing into the territory.

An Israeli intelligence source recently said that significant quantities of weapons and explosives, including Grad rockets, anti-aircraft missiles and explosive materials, had been transported from Egypt to Gaza through the Rafah crossing.

Israel tightened its blockade of Gaza alter Hamas took control of the Strip in 2007. Egypt also limits the movement through its border crossing with the territory.

''The smuggling is part of a broad worldwide apparatus, from Iran to Yemen and other sources, to the Gaza Strip, by land and sea. We are working against them,'' Defense Minister Ehud Barak said.

[From the Jerusalem Post, Feb. 26, 2009]

ISRAEL THANKS CYPRUS FOR CONFISCATING IRANIAN ARMS ON WAY TO GAZA

(By Herb Keinon)

President Shimon Peres thanked visiting Cypriot Foreign Minister Markos Kypriano on Wednesday for confiscating Iranian arms that were believed to be headed to Gaza.

Peres, according to his office, said the confiscation of the ship's cargo was extremely important, and that fighting the arms smuggling to the Gaza Strip required this type of cooperation.

Last Wednesday, Cypriot authorities said the ship suspected of transporting the contraband cargo was free to go after the cargo was unloaded and stored at a Cypriot naval base.

Cypriot officials said that the cargo was ''material that could be used to make munitions,'' and the Cypriot government said the ship had breached the UN ban on Iranian arms exports.

The US military said it found arms aboard the ship after stopping it last month in the Red Sea.

The issue also came up in talks Kypriano held with Foreign Minister Tzipi Livni.

''Iran must be made aware that the weapon smuggling to Syria, Lebanon and Hamas constitutes a severe violation of international agreements, and must cease,'' Livni said. ''The weapon smuggling organized by Iran is one of the central problems in the region. If the weapon smuggling to Gaza continues, Israel will have no other option than to initiate another defensive operation. That is why the international community must exhaust all the legal and operative means at its disposal to put an end to the arms smuggling.''

[From VOA News, Feb. 16, 2009]

ISRAEL POUNDS GAZA SMUGGLING TUNNELS AFTER MORE ROCKET ATTACKS

(By Luis Ramirez)

Israeli warplanes have attacked smuggling tunnels between the Gaza Strip and Egypt, after militants in Gaza fired at least two rockets into southern Israel. The tit-for-tat violence is further complicating prospects to draft a truce between Israel and the militant Islamic group Hamas.

The rocket attacks have again become an almost everyday occurrence in the four weeks since Israel called off its 22-day offensive on militants in Gaza.

Nearly a month after both sides declared separate cease-fires, efforts by Egypt to mediate a durable truce are deadlocked.

Hamas wants Israel to open all of its border crossings, including one to Egypt. Israel wants Hamas to stop militants from firing rockets into its territory and the smuggling of weapons into the seaside enclave.

Israeli officials say they will not consider reopening border crossings until Hamas returns Gilad Schalit, an Israeli soldier who has been held since he was captured in the Gaza Strip in 2006.

Hamas legislator Mushir al-Masri, a spokesman for the militant Islamist group, rejected any attempt by Israel to link the release of Schalit to a longer-term cease-fire.

Al-Masri says Hamas' position is obvious. He says Hamas wants a cease-fire and is not backing away on that issue. But he says the Israeli attempt to connect the Schalit case with a cease-fire agreement is going to destroy the process and he says Hamas considers that ''a stab in the face'' of the Egyptian efforts to mediate peace.

Hamas is also demanding that Israel release hundreds of prisoners—including militants who were responsible for a number of suicide bombings—in exchange for Schalit.

Despite the setbacks, prospects for a truce remain alive.

Israeli officials say the country's security cabinet is due to meet Wednesday to discuss a response to Hamas' demands, and details of a possible peace deal.

Mr. KYL. Madam President, again, I wish to compliment the Egyptian Government and others who have insisted on trying to stop this smuggling. My amendment asks for a study by the Secretary of State and the DNI about whether additional taxpayer support

out of the annual appropriation for Egypt would aid in stopping this smuggling activity.

That is one of the two amendments—amendment No. 630—that will be voted on this evening. The other amendment is amendment No. 631; that is to say, if the unanimous consent agreement goes into effect, which includes the four amendments we are likely to vote on, two of those would be my amendments, No. 630 and 631.

AMENDMENT NO. 631

Let me briefly describe amendment 631. It deals with the $300 million for Gaza reconstruction that Secretary Clinton offered at the Sharm el-Sheikh Donors Conference last Monday. We don't have details from the administration on its plans to keep the $300 million out of Hamas's hands. Clearly, obviously, we want to do that. What we do have is a general acknowledgment by the State Department of its concern that this is important to do. Obviously, we are all aware that Hamas controls nearly every means of power and leverage in the Gaza Strip. So I don't think we can be too careful in ensuring that none of our taxpayer dollars get into the hands of a terrorist group such as Hamas.

Section 7040(f) of the bill addresses this problem partly. It provides limitations on the disbursements of the main types of assistance funds—these are the bilateral economic assistance, international security assistance and multilateral assistance and export investment assistance—to the Palestinian Authority. So there are limitations on the funds going to the Palestinian Authority.

The problem is, some of this money goes through the United Nations and through nongovernmental organizations—the so-called NGOs. So what my amendment does is to close this loophole to ensure that none of our money goes to them and then Hamas as well. It adds the crucial step of making explicit that no funds from the omnibus shall be made available for reconstruction in Gaza until the Secretary of State certifies that no such funds will be diverted to Hamas or entities controlled by Hamas. As I said, the reason is because some of the money is going to these other organizations.

There is a recent op-ed in Forbes magazine—and I will ask for its inclusion in a moment—by Claudia Rosett, the same intrepid reporter, incidentally, who first revealed the United Nations oil-for-food scandal. In it she wrote:

On the matter of how exactly the ''safeguards'' will work, the State Department has been stunningly vague. At a State Department press briefing on Monday, while Clinton was in Egypt making her pledge, a spokesman said that up to $300 million would go for Gaza's ''urgent humanitarian needs'' as identified by the U.N. and the Palestinian Authority. Those funds, he said, would flow via the United States Agency for International Development ''in coordination with U.N. agencies, international organizations, and USAID grantees'' and ''through the State Department for the U.N. agencies, including the international committee of the Red Cross, and other humanitarian organizations.''

Then she further notes that one of the institutions that the U.N. uses to funnel aid to the Palestinian Authority is the Commercial Bank of Syria. Here is what she says about that:

Under Secretary Stuart Levey alleged that the bank had been used by terrorists to move money, ''and as a state-owned entity with inadequate money laundering and terrorist financing controls, the Commercial Bank in Syria poses a significant risk of being used to further the Syrian Government's continuing support for international terrorist groups.'' Among the terrorist groups cited as examples of such clients were Hezbollah in Lebanon, and such denizens of Gaza as Palestinian Islamic Jihad, the Popular Front for the Liberation of Palestine and Hamas.

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Forbes magazine, Mar. 5, 2009]

CAN WE GIVE TO GAZA WITHOUT GIVING TO HAMAS?

(By Claudia Rosett)

If stuffing billions worth of aid into the Palestinian territories could end Islamist terrorism out of Gaza, it might be worth the money. That seems to be President Obama's gamble, with Secretary of State Hillary Clinton jetting to a donors' conference in Sharm el-Sheikh, Egypt, this past Monday, to chip in $900 million on behalf of U.S. tax payers. All told, more than 70 countries, cheered on by United Nations Secretary-General Ban Ki-Moon, pledged a whopping total of $4.5 billion in fresh aid to the Palestinians.

The focus was largely on repairing damage to Gaza, after Israel's recent three-week battle to shut down mortar and rocket attacks out of the terrorist-controlled enclave. But, as Clinton described it, this is a nuanced effort. The broad aim is to bypass the Iranian-backed Hamas terrorists who control Gaza, and shovel resources for strictly humanitarian uses into the enclave ''in coordination with'' the Palestinian Authority, which is run by the U.S.-favored Fatah faction, Hamas' rival, based in the West Bank.

Thus the long and winding title for the Sharm el-Sheikh powwow: ''The International Conference in Support of the Palestinian Economy for the Reconstruction of Gaza.'' Thus, also, the confusion and contradictory news accounts over how much of the multiple billions in aid will flow to the West Bank, how much to Gaza, when and how this will happen, and who will decide.

And so, despite a record which suggests that decades of aid to the Palestinians—bilateral, multilateral, you name it—have fostered not peace, but continuing violence, here we go again. The plan this time seems to be to flood the Palestinian Authority with funds that might somehow grease the way toward somehow easing Hamas out of the cockpit in Gaza.

Speaking of her aim to ''foster conditions'' to create a responsible, accountable Palestinian state, living in peace with Israel, Clinton pledged that America's $900 million in new aid to Palestinians—still to be approved by Congress—would include $300 million for Gaza. To blunt concerns that some of these taxpayer dollars might end up bankrolling Hamas, Clinton spelled out that ''We have worked with the Palestinian Authority to install safeguards that will ensure that our funding is used only where, and for whom, it is intended, and does not end up in the wrong hands.''

Good luck. The downside of this gamble, and the likelier scenario, is that this new multibillion-dollar wave of aid, pouring in from many sources, will boost Hamas. In case anyone needs a reminder, Hamas is an Islamist, terrorist group, spun out of the Egyptian Sunni Muslim Brotherhood but backed and trained these days by the Shiite mullocracy of terrorist-sponsoring Iran—which looks close to acquiring a nuclear arsenal. Hamas is dedicated in its charter to the destruction of Israel and hostile in its principles to western democracy.

Hamas was elected in 2006 by a Gazan population that five years earlier had celebrated the Sept. 11 terrorist attacks on America by handing out sweets and dancing in the streets. Hamas consolidated its control over Gaza in 2007, kicking out Fatah in a bloody battle that included fighting in hospitals and apartment buildings, and both sides throwing prisoners off rooftops. Nor does Hamas mind putting Gaza's 1.5 million people at risk in order to pursue its terrorist ''Death to Israel'' agenda. Since Israel called a halt on Jan. 17 to its Operation Cast Lead, Hamas-controlled Gaza has continued to serve as a launching pad for attacks on Israel, firing more than 50 rockets, including 11 over the past weekend, one of them hitting a school in Ashkelon.

Were such attacks targeting, say, New York, one might hope they would be treated as terrorism and answered with force. But on Monday, the de facto reply of the ''international community'' to these assaults on Israel was to promise Gaza—already one of the developed world's top per-capita welfare clients—billions more in aid. Clinton, while making her pledge, and detailing rosy visions of the future, made just one ritual nod to the Hamas rockets of the here-and-now: ''These attacks must stop.'' Expect more rockets.

As for the financial safeguards—somewhere in Gaza, or maybe Damascus or Tehran, members of Hamas must be smiling. As long as Gaza is controlled by Hamas, any aid funneled into the enclave is one dollar less that Hamas might be impelled to spend on upkeep of its turf, and one dollar more available for terrorist activities.

On the matter of how exactly the ''safeguards'' will work, the State Department has been stunningly vague. At a State Department press briefing on Monday, while Clinton was in Egypt making her pledge, a spokesman said that up to $300 million would go for Gaza's ''urgent humanitarian needs'' as identified by the U.N. and the Palestinian Authority. Those funds, he said, would flow via United States Agency for International Development ''in coordination with U.N. agencies, international organizations and USAID grantees'' and ''through the State Department for the U.N. agencies, [International Committee of the Red Cross] and other humanitarian organizations.''

That's just the U.S. agenda, before we get to the even less transparent donations, such as the $1.65 billion pledged by the Gulf Arab States, to be handled out of the Saudi capital. To explore every rabbit hole on this list could be the work of an entire career. But let's go down just one of the big ones.

Looking for further hints about what this three-ring aid circus might entail, I pulled up the Web site on Tuesday of the U.N.'s lead agency in Gaza, the U.N. Relief and Works Agency for Palestine Refugees in the Near East, best known as UNRWA. There, on UNRWA's home page, as of this writing, is a photo of the U.N.'s Ban Ki-moon, standing in a damaged UNRWA warehouse, backlit by what appear to be rays of the sun, during his

visit in January to Gaza. Next to Ban's photo is a blurb about his appeal for ''crucial funds needed for Gaza's reconstruction after the recent Israeli offensive.''

But just below Ban's photo is where it gets interesting. The same Web page lists several banks, complete with Society for Worldwide Interbank Financial Telecommunication (SWIFT) codes and account numbers through which benefactors are invited to send money to UNRWA for its ''Special Gaza Appeal.''

One of them is the state-owned Commercial Bank of Syria, headquartered in Damascus, which is an intriguing choice for Ban and UNRWA to condone, because for the past five years this bank has been under sanctions by the U.S. Treasury as an institution of ''primary money-laundering concern.''

In 2004, Treasury imposed sanctions on the Commercial Bank of Syria alleging it had laundered illicit proceeds from the U.N.'s Oil-for-Food program in Iraq, and had also handled ''numerous transactions that may be indicative of terrorist financing and money laundering.'' According to Treasury, this included two accounts ''that reference a reputed financier for Usama bin Laden.''

In 2006, Treasury finalized its rule, which is still current, against the Commercial Bank of Syria. Under-Secretary Stuart Levey alleged that the bank had been used by terrorists to move money, and ''as a state-owned entity with inadequate money laundering and terrorist financing controls, the Commercial Bank of Syria poses a significant risk of being used to further the Syrian Government's continuing support for international terrorist groups.'' Among the terrorist groups cited as examples of such clients were Hezbollah in Lebanon, and such denizens of Gaza as Palestinian Islamic Jihad, the Popular Front for the Liberation of Palestine and Hamas.

UNRWA's choice of this bank is all the more curious in light of the lifestyle choices of a number of Hamas leaders, such as Khaled Meshal, who are based not in Gaza, but work ''in exile'' in Damascus. According to a Council on Foreign Relations backgrounder released in 2006, Meshal has served Hamas from Damascus as head of the terrorist group's politburo, and as chief strategist and fundraiser. In 2006 he was alleged by Israeli then-Vice Premier Shimon Peres to have ordered the kidnapping into Gaza of Israeli soldier Gilad Shalit, who has not been released.

It's hard to know whether it is of any concern to UNRWA that one of the conduits headlined by Ban Ki-moon for its Gaza relief appeal is a U.S.-censured bank, headquartered in a country that hosts Hamas leaders such as Meshal, and is designated by the U.S. as a state sponsor of terrorism. The U.N. has no definition of terrorism. UNRWA, which employs mostly local Palestinian staff, and has never had an independent outside audit, is not bound by U.S. sanctions. My queries to UNRWA about this Syrian banking connection were answered evasively by a spokesperson, who stated in an email that ''UNRWA's strict financial regulations, and its close oversight of all resources contributed to it, serve to ensure that funds are used appropriately in our humanitarian relief activities.''

It's likewise hard to say whether the U.S. State Department cares that U.S. funds might mingle via UNRWA with money flowing to Gaza through the Commercial Bank of Syria. My queries to the State Department received no reply.

These are, of course, busy times for American diplomacy in the Middle East. There are slows of new envoys setting out, and the new administration is stepping up ''engagement'' already begun during the final years of President Bush, by courting Syria as a potential U.S. partner. But if President Obama wants to try banking on multi-tiered diplomacy and massive aid to turn terrorist-infested, Iranian-armed Gaza into a place of peace, it looks like someone in his administration needs to be keeping a closer eye on who, exactly, might be cashing in on the largesse.

Mr. KYL. Madam President, I also ask that a press release from the ranking member on the House Foreign Affairs Committee and members of the House Republican leadership also be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ROS-LEHTINEN, BOEHNER, CANTOR, MCCOTTER, PENCE QUESTION OMNIBUS FUNDING FOR UN PALESTINIAN AGENCY PARTNERING WITH BANKS TARGETED BY U.S.

(WASHINGTON).—U.S. Rep. Ileana Ros-Lehtinen (R–FL), Ranking Republican on the House Foreign Affairs Committee, Republican Leader John Boehner, Republican Whip Eric Cantor, Republican Conference Chairman Mike Pence, and Republican Policy Committee Chairman Thaddeus McCotter called on the Senate to pull funding for UNRWA and the Palestinian Authority from a $410 billion spending bill. Statement follows:

''The Administration should withdraw its pledge to provide $900 million in bonus funding to the Palestinian Authority and Gaza reconstruction. These funds are proposed in addition to what is already included in the Omnibus appropriations bill pending in the Senate. And some of the funds will be going through UNRWA at a time when this UN agency is partnering with banks targeted by the U.S. for their roles in financing violent Islamist militants.

''We need to protect taxpayer funds from finding their way to the Commercial Bank of Syria, an UNRWA partner subject to U.S. sanctions and run by the Syrian regime. Another UNRWA partner is the Arab Bank, which is under investigation for financing Palestinian militants and suicide bombers responsible for the deaths of Israelis and Americans in Israel.

''Yet, the Senate is poised to allow millions of taxpayer dollars to go to UNRWA, which also fails to vet its own staff and aid recipients for ties to violent Islamist groups. The bailouts and spending sprees have become so vast that even violent extremists and their enabling UN agencies are getting a 'piece of the pie.' ''

BACKGROUND: UNRWA's website solicits donations for its ''Special Gaza Appeal,'' and directs donors to send money to accounts with the Commercial Bank of Syria, which the U.S. Department of the Treasury has designated as a ''primary money laundering concern,'' and with the Arab Bank, which is reportedly under investigation by the U.S. government for financing Palestinian militant groups. Treasury also states that the Commercial Bank ''has been used by terrorists to move their money and it continues to afford direct opportunities for the Syrian government to facilitate international terrorist activity and money laundering.'' The Arab Bank was reportedly fined $24 million for extremist financing in 2005.

Mr. KYL. Madam President, what these all point out is that in addition to ensuring that money that goes to the Palestinian Authority doesn't get into the hands of Hamas, which is assured by the legislation, we need to make sure that other funds that go to the United Nations or the NGOs also are not diverted to Hamas. That is what we have provided by this amendment.

Incidentally, I would say this: One of my colleagues said: Well, isn't a secretarial certification a little bit much? My response is: Well, if the Secretary can't certify it, we probably shouldn't be sending taxpayer money. But I had also suggested language such as the following: That all possible steps have been taken to ensure that no such funds have been diverted by Hamas or entities controlled by Hamas. If there is any objection to the exact language of my amendment, I would be happy to amend the language to include the language I indicated.

So I hope my colleagues, when we vote at 5:30 this afternoon, will consider the arguments I have made with respect to these two amendments: to make sure that, first of all, our Egyptian friends have all the support they need to ensure that smuggling does not occur in the future and threaten the people of Israel; secondly, that no American taxpayer money is spent either through the Palestinian Authority or—and this is not controlled in the bill—through the United Nations or other NGOs to provide support to any terrorist groups, including Hamas, and my amendment would prevent that from happening.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Madam President, my friend from Arizona's amendment No. 630 would require the Secretary of State to report on whether additional foreign military financing assistance provided for Egypt could be used to improve Egypt's efforts to counter illegal smuggling and intercept weapons into Gaza.

We all want Egypt to intercept those weapons. So on the face of it, it appears this amendment is very appealing. But I note for my friend from Arizona that the omnibus bill already explicitly authorizes the use of FMF assistance provided to Egypt ''for border security programs and activities in the Sinai.''

That was language put in by the distinguished ranking Republican member on the Appropriations Subcommittee, Senator GREGG, precisely for the purpose of the Kyl amendment—to enable those funds to be used to help police the border and reduce the smuggling into Gaza.

Now, I understand there is a concern about adding amendments to this bill and sending it back to the other body. All this does, if passed, is send the bill back to the other body because what the Senator from Arizona is asking for is already in the bill. Egypt is already cooperating with Israel and the United States to reduce smuggling of weapons into Gaza. We need Egypt's continued help. The Egyptian Government will—in fact, they already do—regard this amendment requiring a report by the Secretary of State as a public slap in the face. The distinguished Secretary

of State has just come back from the region. The State Department says the bill gives them the authority and the money they want to do precisely what the Kyl amendment asks for. Why pass something that is a public humiliation of an ally in the area?

Egypt could undoubtedly do more. Everybody could. But publicly shaming them as they are trying to negotiate a lasting cease-fire between Hamas and Israel is in no one's interest. It is not in our interest or Egypt's interest, and it is certainly not in Israel's interest. Maybe some think this makes a good talking point.

I am more interested not in what makes great talking points, but in stopping the smuggling of weapons into Gaza. That is why Senator GREGG put the language into the foreign aid bill in the first place.

There is no question that the money can be used. We don't need a report from the State Department telling us what we already know. We wrote the law. We know what it says. We don't need the State Department to tell us what it says.

The key point is this: You can vote against the Kyl amendment and still be on record voting for everything in the Kyl amendment simply by voting for final passage of the omnibus bill.

Also, the Senator from Arizona has offered amendment No. 629, which would prohibit the use of any funds in the omnibus to resettle Palestinians from Gaza into the United States. We are going to vote on that tomorrow.

Frankly, it is unnecessary and for the United States, a Nation of immigrants, it goes against everything we stand for.

We don't resettle anybody from Gaza, nor do we resettle anybody from Gaza who is living in the U.N. refugee camps in the West Bank, Lebanon, Syria, or Jordan. The amendment is a solution looking for a problem. If a Palestinian from Gaza gets to a place like Italy, or somewhere in Europe, the amendment would prevent the State Department from even considering that person for resettlement to the United States. We would have to tell them sorry, you can't come in, because you are from a place that has terrorists.

I think back to my family who came to Vermont about 150 years ago. On my father's side, they were Irish. If we had a law like this in place then, it is questionable whether they could have entered this country. If the Irish were fighting to keep their land, if they were fighting to keep their rights, if they were fighting for the ability to vote, and they lived in what is now the Republic of Ireland, they were considered terrorists. We have gone back through the record and found when they left Ireland, even though they had been offered free room and board for the rest of their lives. They were very small rooms, with bars on the windows, and they didn't know that the rest of their lives would come very soon. But they left for Canada, the United States, or Australia.

I was thinking about the birthday party for Senator KENNEDY the other night at the Kennedy Center. There were a number of Irish-Americans there who could speak about their roots, when their families came here, and why they had to leave Ireland to come here. They were hunted because they fought to practice their own religion. They were hunted because they spoke Irish. They were hunted because they wanted to keep their land. They were hunted because they would not renounce their religion. Thank goodness the United States had open arms for them.

We have very strict rules about who can come into this country. This, again, is an unnecessary amendment, saying that we in the Congress are going to pick and choose which groups of people can resettle here.

When my maternal grandparents came from Italy, a country that had numerous wars at that time, thank goodness they weren't blocked from coming here. My grandmother lived long enough to see her grandson run for the U.S. Senate. They came to this country not speaking English, not reading or writing it, learning English and raising six children. We could all tell stories like that.

I hope we don't start doing things that label whole groups of people as terrorists, no matter who they are as individuals.

The Senator from Arizona has also offered amendment No. 631 which prohibits funds for reconstruction efforts in Gaza until the Secretary of State certifies that none of the funds will be diverted to Hamas or entities controlled by Hamas. Again, it is an appealing amendment. We all want to be sure no funds are diverted to Hamas. But, of course, that is already in the bill. I don't know how many times we have to vote on it. We voted on that; all Republicans and Democrats voted on that in committee. It is already in the bill.

There is also permanent law in this country that prohibits any funds going to Hamas or entities controlled by Hamas. So the amendment is unnecessary—unless the intent of the amendment is simply to send the bill back to the other body and further delay its passage.

Anybody can read the bill. Section 7040(f) of the bill, on page 861, bans funding to Hamas and any entity effectively controlled by Hamas or a power sharing government.

Section 7039 of the bill, on page 856, requires that the Secretary of State take all appropriate steps to ensure that assistance doesn't go to any individual or entity in the West Bank or Gaza that advocates, plans, sponsors, engages in, or has engaged in terrorist activity. It cannot be any clearer than that.

Maybe every one of us should introduce our own amendment to say the same thing over and over again and have 100 of us saying we don't want any money to go to Hamas. The easy way to do that is to vote for the bill the way it was when the Senator from New Hampshire and I presented it to the committee, which adopted it with only one dissenting vote. It prohibits that.

The Palestinian Antiterrorist Act of 2006 prohibits money going to a Hamas-controlled Palestinian Authority. That is section 620(k) of the Foreign Assistance Act.

So we prohibited assistance to Hamas at least three times already. And there are undoubtedly other laws on the books that prohibit funding going to terrorist organizations, which Hamas is. Do we get extra political points for doing this? Why don't we all stand and say: I am against any assistance for Hamas? I have not heard a single Senator—Republican, Democrat, or Independent—say they do want to support Hamas. That is probably why we have all voted overwhelmingly in favor of laws to prohibit it.

It appears to me some of these amendments are intended simply to try to make a point, or to send the bill back to the other body.

Mr. GREGG. Will the Senator yield for a question?

Mr. LEAHY. Yes, without losing my right to the floor.

Mr. GREGG. I want to associate myself with the Senator's concern. I think a proper explanation of how the bill is structured is in order. As I understand it, as the bill left the subcommittee, and then the full committee, it made it unalterably clear no money that goes into Gaza can be used for Hamas. That doesn't need to be restated in an amendment. In fact, doing that might imply that the language in the bill isn't as strong as it should be. Also, on the issue of resettlement of Palestinian refugees, there may be many we would want to come to the United States—maybe physicists and other folks. This blanket approach that nobody can enter the country is really over the top and far too broad a brush to paint on the entire population of an area.

Obviously, we don't want terrorists or anybody who is sympathetic to the Hamas to come. But there are others we may wish to come to the United States because maybe they were opposition leaders to Hamas.

Thirdly, the issue of the language relative to Egypt concerns me, and I guess it concerned the Senator from Vermont. I will put this in the form of a question.

To complete my inquiry of the chairman of the subcommittee, the language relative to Egypt in using funds from the money that was allocated to Egypt, approximately $1.3 billion for the purpose of making sure the border entries into Gaza and other entries that might affect Israel are adequately monitored, that language truly is not necessary because we have language in the bill that says it can be used for the purpose of limiting access on the borders.

There is an ongoing, good-faith effort, as I understand it, by the Government of Egypt to police those borders,

using our resources to some degree. Further, Egypt has worked very hard to be an ally to us in the region. It is one of our key allies in the sense that it has always been reasonably supportive of what we have tried to do. I think we have a responsibility to be equally supportive of them when they make a legitimate request, which is that we not be overly officious in directing them under this language.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, the senior Senator from New Hampshire is correct on every one of the points he has made. He and I worked closely together on this so all of these issues we have been discussing came out of our subcommittee with strong bipartisan support.

Both of us were sensitive to a number of things: One, we did not want money going to Hamas; two, we wanted to help Egypt because Egypt has, with some peril to itself, been cooperating with us. Obviously, we are committed to the security of Israel. We put all that in here. So it becomes, in some ways, worse than redundancy.

The Senator from New Hampshire put his finger on it. It appears to be an officious way of telling Egypt: We don't trust you. I would rather continue as the Secretary of State has, as her predecessors in the past administration did, working cooperatively with Egypt to try to address this problem.

The last point about saying nobody should be allowed into the U.S. from Gaza, there are tens of thousands of Palestinians in Gaza who are victims of Hamas every day. Are we going to say that a Palestinian child cannot be considered for resettlement, because of his or her place or origin? Are we going to say to a child's parents, if they were being persecuted by Hamas, they are ineligible for resettlement? Are we going to say, as the distinguished Senator from New Hampshire suggested, to a scientist who has great skills, we cannot accept you because there are terrorists in Gaza? That is not what made this Nation great. We have that wonderful Statue of Liberty with the upraised torch in the New York Harbor—or the New Jersey Harbor, depending on where you live—saying we are a welcoming country. I trust our State Department and our intelligence agencies and others, that if somebody with an interest that is hostile toward the United States tries to come here, they will be barred. But let's not make a blanket rule against a whole group of people based solely on their ethnicity or place of origin.

I thank the distinguished senior Senator from New Hampshire for coming down here and pointing these things out. He and I worked hard to get a bipartisan bill that reflects the best interests of the United States no matter who the administration might be.

Madam President, I yield the floor.

Mr. REID. Madam President, I ask unanimous consent that at 5:30 p.m. today the Senate proceed to vote in relation to the following amendments in the order listed; provided that prior to each vote, there be 2 minutes of debate equally divided and controlled in the usual form; that after the first vote, the vote time be limited to 10 minutes each, with provisions of the previous order regarding intervening amendments remaining in effect: McCain amendment No. 593, Kyl amendment No. 630, Kyl amendment No. 631, Enzi amendment No. 668.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 665

Mr. BUNNING. Madam President, I call up Bunning amendment No. 665 and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. BUNNING] proposes an amendment numbered 665.

Mr. BUNNING. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the Secretary of State to issue a report on investments by foreign companies in the energy sector of Iran)

On page 942, between lines 14 and 15, insert the following:

INVESTMENTS IN ENERGY SECTOR OF IRAN

SEC. 7093. (a) None of the amounts appropriated or otherwise made available by this Act may be made available for the Department of State until the Secretary of State, in consultation with the Secretary of the Treasury, submits to Congress a report on investments by foreign companies in the energy sector of Iran since the date of the enactment of the Iran Sanctions Act (Public Law 104–172; 50 U.S.C. 1701 note), including information compiled from credible media reports. The report shall include the status of any United States investigations of companies that may have violated the Iran Sanctions Act, including explanations of why the Department of State has not made a determination of whether any such investment constitutes a violation of such Act.

(b) In this section, the term ''investment'' has the meaning given the term in section 14 of the Iran Sanctions Act (Public Law 104–172; 50 U.S.C. 1701 note).

Mr. BUNNING. Madam President, I would like to send a modification to the desk, if possible.

The PRESIDING OFFICER. Is there objection? The Senator from Vermont.

Mr. LEAHY. I will have to object. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BUNNING. Then I will speak on the original amendment No. 665.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. BUNNING. Madam President, we have had sanctions against Iran on our books since 1987. They, along with other multilateral efforts, have served to put a financial chokehold on Iran's rogue behavior. Now is the time to enforce these sanctions and deny Iran the financial capital it needs to fund its nuclear proliferation and support for international terrorism. This is why I have offered an amendment requiring the State Department to provide Congress with the report of potential violations of existing Iranian sanctions under the Iran Sanctions Act of 1996.

Under the act, a company is found in violation of our sanctions if it invests more than $20 million in 1 year in Iran's energy sector. Since enactment, companies have invested more than $29 billion in Iran's energy sector. This does not include the $70 billion in pending transactions that are known about, most of which are long-term contracts to purchase Iranian gas and oil.

As it stands, the State Department is not required to provide any type of report to Congress or publish in the Federal Registry a list of potential violations of our sanctions against Iran. Time and time again, I have asked the State Department for transparency on this issue, as well as imposing some sort of timeline on ruling on pending investigations of existing sanctions. The State Department has no enforceable guidelines on these sanctions and, thus, gives them little or no teeth. As it stands, pending investigations of companies in violation of our sanctions laws have gone on as long as 10 years. Furthermore, since enactment, there has only been one found violation of the Iran Sanctions Act by a French company. Through the use of a Presidential waiver, this violation was totally waived.

My amendment is in no way seeking to change or remove this flexibility. It simply asks the State Department for a report on pending violations of our existing sanctions laws against Iran.

I have long said that the danger of a nuclear Iran poses one of if not the greatest threat to our national security. As this rogue nation continues to ignore three U.N. Security Council resolutions, the time for Congress to act is now. I ask my colleagues to join me and support the Bunning amendment. Now more than ever, we need to tighten our economic chokehold on Iran.

I ask for the yeas and nays in a timely fashion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. BUNNING. I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

AMENDMENT NO. 593

Mr. INOUYE. Madam President, I wish to speak on amendment No. 593, an amendment submitted by the Senator from Arizona.

This amendment limits the flexibility of the executive branch. It has no impact on Government spending and

will not add to congressional oversight. It is an amendment which will serve no useful purpose to either the Congress or the executive branch.

The amendment of the Senator from Arizona states that no funds for congressionally directed spending programs could be spent unless the items were included in bill language. The Senator seems to believe that the inclusion of the items in bill language affords the Congress greater oversight over the items. This is not correct. The Senate has the ability to review, debate, and vote in relation to any item, whether it is included in this measure as bill language or just identified in report language.

The Senator apparently believes that putting items in the bill language offers better control over spending. The opposite is true. When items are contained in bill language, the executive branch is afforded less opportunity to exercise management over use of the funds. For example, if the Congress appropriates $1 million for an item in bill language, the funding can be used only for that purpose. Under current law, funds must be spent for the purpose for which the funds were appropriated unless the Congress has provided agencies additional authority to transfer funds. While most agencies have some ability to transfer funds, the rules are more often restrictive. The only other recourse an agency has is to propose the funding for rescission.

The effect of this amendment would be to require that every item specified in bill language could not be altered without either the use of authorized transfer authority or the passage of a new law governing the use of funds. If a product is allocated $1 million in report language but only costs $800,000 to complete, in most cases agencies are afforded some flexibility to reapply the remaining funds for other authorized purposes. However, once the items are included in bill language, unless additional legal authority has been enacted, they cannot be allocated for another purpose. If a Government program manager has an additional and unneeded $200,000 but which can only be used for that one purpose, what incentive does he or she have to make certain all the funds that are approved for spending are really necessary? The unintended consequence of this amendment is to limit the ability of agencies to adjust to changing circumstances, such as reduced costs or resolution of environmental issues. This amendment needlessly ties the hands of agencies.

This amendment will not save funding. If it were to be enacted, the Congress would simply move items that currently appear in report language to bill language.

We shouldn't see this amendment as a way to reduce spending. It would probably necessitate the adding of an additional 1,000 pages to the bill, but it would not save a dime.

I am not sure what useful purpose this amendment is thought to have. Its enactment would limit the flexibility of our agencies to manage funds. The amendment provides no additional congressional oversight of funding. It would have no impact on spending. Its adoption would, however, force the Senate to send the bill back to the House, further delaying the passage of this important legislation. Therefore, I urge my colleagues to vote no on this amendment.

I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of Colorado). The Senator from Arizona.

AMENDMENT NO. 593

Mr. MCCAIN. Mr. President, I have come to the floor today to discuss my pending amendment which would prohibit funds to be spent on thousands of earmarks that are listed in the statement of managers but are not included in the bill text.

Most Americans would say: Why don't you have what you want to spend in the bill itself? So far, obviously, the answer has been that this has just grown and grown over the years, as earmarks have grown over the years. And let me just also point out, there is an attempt to say: Look, we have always done this. This has always been the case. So we are just doing what we have always done. You know, the fact is, Mr. President, we haven't always done this. The fact is this porkbarrel and earmark spending has grown and grown and grown and grown over the years.

One of the people I admired most when I served in the other body was a Congressman from Tennessee, Congressman Natcher, who would not allow a single earmark in his appropriations bills, not a single one. He was proud of that, and he continued to get reelected.

I did a little research. It is a little hard to get the information, but up until the 1960s or the 1970s there was no such thing as earmarks. There was no such thing. Citizens Against Government Waste have tracked the growth of earmarks, and in 1991, according to that organization, there were 546 earmarks—546 earmarks in 1991. In this bill, we have nearly 9,000.

Now, that is how evil grows. That is what happens when this kind of activity continues to be allowed. There were 546 earmarks. In 2008, there were 11,610 earmarks. That is an increase of 337 percent in 17 years. The numbers for fiscal 2009: with the three bills already enacted, there were nearly 3,000, and this is another 9,000.

I don't enjoy bringing this up all the time, but the fact is, there is another article this morning in RollCall with the headline ''Abramoff Case Keeps On Going.'' Quoting from the article, it says:

> Disgraced former lobbyist Jack Abramoff may one day see an end to the scandal that he largely created—at least in his scheduled release from prison in 2011—but the complex criminal investigation spurred by his activities shows no sign of winding down any time soon.

It talks about former Senate aides who are either under indictment or in prison or, according to this article, going to be indicted. But that is what happens when you are able to put in an earmark without anybody knowing about it, without any scrutiny, without any oversight, but directly related to the influence of the individual Member or staff member.

You can't make up these stories. You can't make them up. We have various staff members who became lobbyists, and obviously, as we know, we have former Members of Congress now residing in Federal prison. So I come to my opposition to these earmarks because it makes good people do bad things. A colleague from the other body, who was a great American hero, ended up making a list of the appropriations that he would get and the money that he would get in return, and now he resides in Federal prison.

May I also say we continue to hear that the President will do something about this. Last week Mr. Gibbs said we will see and hear the President outline a process of dealing with this problem in a different way and that the rules of the road going forward for those many appropriations bills that will go through Congress and come to his desk will be done differently. There is an easy way of doing that, Mr. President. Just authorize them. Just send these requests through the authorizing committees and have them authorized and you will never see the Senator from Arizona on the Senate floor again complaining about earmarks because then they will have done what we did for most of this Nation's history, and that is to authorize projects and then have the appropriators fund the projects. It is the way that the Congress should do business and the way we have gotten away from in recent years.

So I say to the President, if you really want to see something different, veto this bill. Just simply veto this bill and say: I am sending it back to you. Authorize those earmarks, don't put them in, all 9,000 of them.

I don't know if they are good or bad projects. I continuously see Members come to the floor on both sides of the aisle saying: This is a good project. This is a good project.

As you know, Mr. President, we are twittering over the top 10 every day—the top 10—and the responses we get are from local authorities to Members of Congress saying: This is a good, worthwhile project. Fine, get it authorized. Get it authorized and you will not hear a word of criticism from me.

Here we are, unemployment at 8.1 percent in February, the highest since late 1983—when we didn't do earmarks, 25 years ago—and employers having cut another 65,000 jobs. The Labor Department also reported that job losses in December were the biggest monthly decline in jobs since October 1949. So we are going to spend $1.7 million for pig odor research—that has been bandied

about a lot—and $6.6 million for termite research, $1.9 million for the Pleasure Beach Water Taxi Service Project in Connecticut, $951,000 for Sustainable Las Vegas. And the list goes on and on. I have talked about many of them.

The message is this: As we are in the most dire economic times since the Great Depression, in the view of many experts we are going to continue business here as usual with 9,000 earmarks for things which certainly do not have a priority for the American people at this time. So if the President really wants to change Washington, as soon as this bill reaches his desk he should veto it and send it back and say: Clean it up. Clean it up. Then let's fix the system, which is obviously badly broken.

I would remind my colleagues that back in January of 2007 we passed a pretty tough reform bill through the Senate, and then 7 months later, I believe it was, we then finally passed a much watered-down effort to bring in the porkbarrel earmark spending under control.

In the last week or so, the Senator from Wisconsin and I have introduced legislation which we call a line-item veto, which is more understandable but, frankly, is really an enhanced rescission. The President would issue a rescission and then the Congress would have to vote in order for it to take place.

There is another aspect of this, because I see my colleague from Alabama is here: policy changes. Policy changes have been enacted in an appropriations bill. Appropriations, as is the title, is funding for the Government. So what have we done? We have made changes in health care in both the stimulus package and in the omnibus bill; welfare changes, a number of changes that have been made in Government policy. There are several provisions that would weaken U.S. sanctions against the Castro regime in Cuba. That is a legitimate subject of debate. Why should it be put in an appropriations bill? The DC school vouchers, why should the vouchers for the District of Columbia schools, which provide financial assistance to 1,800 students in the District of Columbia who want to attend private elementary and secondary schools, why should that policy be changed under this bill?

NAFTA and trucking—you can argue whether we should allow Mexican trucks into the United States of America or not. It was part of the North American Free Trade Agreement many years ago. You could have that debate. But how can you rationalize a process that puts it into what is supposed to be an appropriations bill without debate or anything else?

We need to end this earmarking practice. We don't have the votes probably. I can count fairly well, not as well as some, but I can count fairly well. But I can tell you that this week's debate has aroused a lot of Americans. We have heard from them. We have heard from them. They voted for change. They voted for change, and they are not getting change. They are getting business as usual. They are getting 9,000 porkbarrel earmark projects that have not received scrutiny nor authorization nor what they deserve if we are going to spend nearly $8 billion of the taxpayers' money.

I would also like to respond to what one of my colleagues said—little porky projects. Another one said: Well, that is the way business is done. I would argue that it is time to do business differently.

An article appeared in the Chicago Tribune today entitled ''Some Odor.'' The article said:

> The bill may still pass this week and if it does, President Barack Obama is likely to sign it. But maybe, with the benefit of a few more days to digest how much this thing smacks of Washington business as usual, Democrats in Congress and the White House will feel some pangs of responsibility.

I ask unanimous consent to have printed in the RECORD this morning's Chicago Tribune article entitled ''Some Odor,'' along with the Washington Post editorial this morning entitled ''Truck Stop.''

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Chicago Tribune, Mar. 9. 2009]

SOME ODOR

Democrats were pushing full speed ahead last week for the $410 billion bill to finance the government for the rest of the year. That's the one that increases discretionary spending by 8 percent and is loaded with 8,570 earmarks worth $7.7 billion. It's the one the White House has dismissed as ''last year's business.''

But Senate Majority Leader Harry Reid had to acknowledge Thursday night that he couldn't rustle up enough votes to break a Republican filibuster. He had to pull the bill.

And suddenly, $1.7 million to study pig odor was in jeopardy. New Orleans might not get $6.6 million to study termites. New York could have to forgo $2.1 million to study grape genetics. California might have to struggle without $200,000 for gang tattoo removal. Arkansas? No $1.75 million for a fish hatchery visitors center. Texas? It could still study honeybees, but without $1.7 million in federal money to do it.

All are earmarks in this spending bill.

The bill may still pass this week and if it does, President Barack Obama is likely to sign it. But maybe, with the benefit of a few more days to digest how much this thing smacks of Washington business as usual, Democrats in Congress and the White House will feel some pangs of responsibility.

[From the Washington Post, Mar. 6, 2009]

TRUCK STOP: CONGRESS FLASHES A YELLOW LIGHT ON FREE TRADE WITH MEXICO

PRESIDENT OBAMA seems to have resolved, for now, an incipient dispute with Canada over ''Buy American'' rules in the stimulus package. The law would have hurt Canadian steel exports to the United States, but, at the White House's insistence, Congress appended language that blunted the worst protectionist consequences. Now, however, Congress has turned on Mexico, the United States' other partner in the North American Free Trade Agreement. A $410 billion omnibus spending bill contains a provision that would pretty much kill any chance that long-haul freight trucks from Mexico could operate in the United States, as had been promised under NAFTA.

Economically, giving U.S. and Mexican trucks reciprocal access to each other's markets makes a lot of sense. Currently, Mexican rigs can drive in only a small zone on the U.S. side of the border, where they must offload their goods onto U.S. trucks. The process wastes time, money and fuel, harming the U.S. environment and raising the cost of Mexican goods to U.S. consumers. Yet access for Mexican trucks has been bitterly resisted by U.S. interests, most notably the Teamsters union—which claims that poorly regulated trucks from south of the border would be a menace on U.S. highways.

In an effort to disprove that, the Bush administration promoted a pilot project under which Mexican trucks, screened by U.S. personnel, could operate freely within the United States. The Mexican trucks compiled a safety record comparable to that of American rigs. Mexican participation was limited, however, because of the political uncertainty. And safety was always a smokescreen for the Teamsters' real concern—economic turf—anyway. Now the Democratic majority on the Hill has slipped into the omnibus bill a provision killing the program. The provision seems certain to survive, given that the president supported such a measure when he was a senator; his transportation secretary, Ray LaHood, backed it as a member of the House.

When the U.S. economy needs all the help it can get, this legislation perpetuates inefficiency and invites Mexican retaliation against U.S. exports. To a world looking for signs that Democratic rule in Washington would not mean revived protectionism, this can only be a disappointment.

Mr. MCCAIN. The Washington Post article I just referred to states:

> When the U.S. economy needs all the help it can get, this legislation perpetuates inefficiency and invites Mexican retaliation against U.S. exports. To a world looking for signs that Democratic rule in Washington would not mean revived protectionism, this can only be a disappointment.

So I object to this legislation on grounds that there are fundamental policy changes which should be debated and be the subject of separate legislation. I also object to the 9,000 earmarks that are in this legislation, which sends the message to the American people that we are doing business as usual.

I am encouraged to continue to hear the news that the President will issue rescissions. He will say we are not going to do business like this anymore. Well, the best way that the President can send the message is, after we pass this legislation, to veto it and send it back and ask for clean legislation.

I urge my colleagues to vote for my amendment, which separates this 1,844 pages, which was supposed to be originally just a statement of the managers but is now full of thousands of earmark projects, and at least not have those have the force of law.

I yield the floor.

Mr. LEVIN. Mr. President, there are many reasons to oppose the amendment offered by the Senator from Arizona, but a principal reason is that passage would not reduce Federal spending

by one dollar. The amendment would prohibit spending on specific programs mentioned in the statement of managers but not included in the statutory bill language. But the money would be appropriated and available to be spent as the executive branch sees fit. So voting for this amendment thinking it will reduce spending would be a vote cast on a false assumption.

I ask unanimous consent to have printed in the RECORD a memo to me by the Congressional Research Service. Part of that memo reads that prohibiting the use of funds for '' projects referred to in the McCain amendment number 593 would not have the effect of reducing the spending provided in the measure.'' This is also true for the amendment which had been offered by the Senator from Oklahoma, Senate amendment No. 610. According to Congressional Research Service, ''[t]he funds that might have been set aside for these projects could not be used to fund the projects, but would be available for other activities funded within the pertinent account.''

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL RESEARCH SERVICE,
Washington, DC, March 9, 2009.

MEMORANDUM

To: Honorable Carl Levin, Attention: Jack Danielson

From: Sandy Streeter, 7–8653, Analyst on the Congress and Legislative Process

Subject: Spending Effect of Two Specified Senate Amendments

This memorandum responds to your request for the spending effect of S. Amdt. 610 and S. Amdt. 593 to the Omnibus Appropriations Act, 2009 (H.R. 1105).

The texts of the two amendments are provided below. Senate amendment 610 stated:

At the appropriate place, insert the following:

Sec. . Notwithstanding any other provision of this Act, none of the funds made available under this Act may be obligated or otherwise expended for any congressionally directed spending item for—

(1) the Pleasure Beach Water Taxi Service Project of Connecticut;

(2) the Old Tiger Stadium Conservancy of Michigan;

(3) the Polynesian Voyaging Society of Hawaii;

(4) the American Lighthouse Foundation of Maine;

(5) the commemoration of the 150th anniversary of John Brown's raid on the arsenal at Harpers Ferry National Historic Park in West Virginia;

(6) the Orange County Great Park Corporation in California;

(7) odor and manure management research in Iowa;

(8) tattoo removal in California;

(9) the California National Historic Trail Interpretive Center in Nevada;

(10) the Iowa Department of Education for the Harkin grant program; and

(11) the construction of recreation and fairgrounds in Kotzebue, Alaska.

On March 4, 2009, the Senate rejected the amendment by a vote of 34–61.

Senate amendment 593 would have a broader impact; it states:

At the appropriate place, insert the following:

SEC X. PROHIBITION ON THE USE OF FUNDS.

None of the funds in this Act may be used for any project listed in the statement of managers [joint explanatory statement] that is not listed and specifically provided for in this Act.

No Senate action has occurred on this amendment.

Total spending provided in the Omnibus Appropriations Act, 2009, generally equals the sum of numerous separate appropriations and obligation limitations as well as rescissions. The funding levels are provided in the text of the measure for individual accounts and would have statutory effect. The House and Senate Appropriations Committees provided more detailed instructions to agencies in a ''joint explanatory statement'' accompanying the bill. For example, the committees provided direction allocating funds within certain accounts for a variety of activities and projects. Such statements do not have any statutory effect and as a result, do not reduce spending provided in the accompanying bill. An amendment that would prohibit the use of funds for projects identified solely in a joint explanatory statement (including the 11 projects listed in S. Amdt. 610 and the projects referred to in S. Amdt. 593) would not have the effect of reducing the spending provided in the measure. The funds that might have been set aside for these projects could not be used to fund the projects, but would be available for other activities funded within the pertinent account.

If the provisions included in S. Amdt. 610 and/or S. Amdt. 593 become law, they would not have a direct effect on the spending provided in the Omnibus Appropriations Act, 2009.

If I can be of further assistance, please contact me.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Alabama.

AMENDMENT NO. 604

Mr. SESSIONS. Madam President, I ask unanimous consent to call up amendment No. 604, the E-Verify amendment. I believe it has been agreed to by the leaders.

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

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS] proposes an amendment numbered 604.

Mr. SESSIONS. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To extend the pilot program for employment eligibility confirmation established in title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 for 6 years)

On page 1121, line 5, strike ''143, 144,'' and insert ''144''.

On page 1121, between lines 10 and 11, insert the following

SEC. 102. Section 143 of division A of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110-329; 122 Stat. 3580) is amended by striking ''shall'' and all that follows through the end and inserting ''is amended by striking '11-year' and inserting '17-year'.''.

Mr. SESSIONS. Madam President, when we recently worked on the stimulus package, I attempted, on three different occasions, to get a vote on my amendment which incorporated E-Verify provisions that were included in the House version of the bill. I was extremely disappointed that all of my attempts were blocked by Democrats. The provisions I refer to were both unanimously accepted without a vote by the House Appropriations Committee. The provision that extended the E-Verify Program for another 4 years had, in addition to being included in the House-passed stimulus bill, overwhelmingly passed the House last July by a vote of 407 to 2.

The E-Verify system is the system that about 2,000 businesses a week are voluntarily signing up to use. Over 112,000 businesses are now using it voluntarily. They simply check a person's Social Security number when they make employment applications to verify they are lawfully in the country, and not here illegally.

The main purpose of the stimulus package was to put Americans back to work. It is common sense, therefore, to include a simple requirement that the people hired to fill stimulus-related jobs be lawful American citizens or residents. They could be here lawfully and obtain a job, whether through as a green card or otherwise. The actions of the majority in blocking that amendment seems to be a clear signal that they are indifferent to the utilization of American tax money to hire people who are unlawfully in the country and indifferent to the fact that would deny an American citizen that job.

So I tried to offer the amendment that incorporated both the House provision to the Senate bill. But it was blocked. That was interesting, because the House had it in their bill, we did not have it in ours. We could not get a vote on it. Had we had a vote on it, I am certain it would have passed. But we did not get a vote on it.

When they went to conference, it was not in the Senate bill, but it was in the House bill. So one side or the other had to give. So what happened? The House gave. Speaker PELOSI and her team gave in and they took the language out.

So I did not think that was good. I am pleased now that at least we will get a vote, apparently, on that portion of the amendment that would reauthorize the E-Verify Program for an additional 5 years. I will be introducing soon a bill to make the E-Verify system permanent and make it mandatory for contractors who get contracts with the U.S. Government, get money from the U.S. taxpayers. Every one of them should be using this program. In fact, it should have been law already. That would include the TARP spending or other bills we are passing that spend taxpayers' money. At a minimum what employers should do is take the 2 minutes it takes to use E-Verify and determine whether a job applicant is legally authorized to work in the country.

Short-term extensions, such as the 6 month extension included in the underlying bill, are not the right way to go. It is baffling to me that we would go through the process of wanting to extend this program for 6 months. Why 6

months? If you are committed to it, if you understand, as almost every top official who has dealt with it understands, the E-Verify central component of creating a lawful system of immigration, a short term extension is simply unsatisfactory. E-Verify is a central component of eliminating the jobs magnet that draws people into our country illegally.

E-Verify is an on-line system operated by the Department of Homeland Security and the Social Security Administration. Participating employers can check the work status of new hires on line by comparing information from their I–9 form against the Social Security Administration and DHS databases. It is free and voluntary. It is the best means available for determining employment eligibility of new hires.

According to Homeland Security, 96 percent of employees are cleared automatically, and growth continues throughout the country voluntarily by businesses. As of February 2 of this year, there have been over 2 million inquiries run. In 2008, there were more than 6 million inquiries run. So we can see that those numbers are going up exponentially, since more than one-third of the number of inquiries made last year were already made from January 1 through February 2 of this year.

An employer who verifies work authorization under the E-Verify system will have established a rebuttable presumption that it did not knowingly hire an unauthorized alien. In other words, if law enforcement says you illegally hired someone knowing they were illegal and wants to prosecute, companies using E-Verify have a defense. That is one of the reasons people like to use it.

I was most disappointed to learn that on January 28 of this year, President Obama pushed back the implementation of Executive Order 12989 which would require all Federal contractors and subcontractors to use E-Verify. It was supposed to take effect on February 20, but now it has been pushed back to May 21.

Congress needs to act on this. My amendment that I called up today only incorporates one part of what we need to do, that is, a short 5-year extension. Though I do plan to offer the other provisions at some point later, it is imperative that we reauthorize this successful program which is currently set to expire when the CR runs.

It is important, particularly because of the economic downturn. The Bureau of Labor Statistics reported that the unemployment rate in February jumped to 8.1 percent, 651,000 jobs lost in January, which equates to roughly 12 million workers without jobs. This is the highest unemployment rate since the mid 1980s.

Immigration by illegal immigrants and other poorly educated aliens has had a depressing effect on the standard of living of lower skilled American workers. This is a matter of very little dispute. The U.S. Commission on Immigration Reform, chaired by the late civil rights pioneer Barbara Jordan, found that immigration of unskilled immigrants ''comes at a cost to U.S. workers.''

The Center for Immigration Studies has estimated that such immigration has reduced the wage of average native-born workers in a low-skilled occupation by 12 percent or almost $2,000 annually. Is there any doubt about that? I do not think so.

In addition, Harvard economist George Borjas, himself a Cuban refugee, an immigrant who came here as a young man, has estimated that immigration in recent decades has reduced wages of native-born workers with a high school degree by 8.2 percent.

It also takes jobs. A report in today's USA Today cites to studies by the Heritage Foundation and the Center for Immigration Studies which found that according to their estimate, out of the 2.5 million jobs projected to be created by the stimulus plan, 300,000 would be going to people illegally here. That is approximately 15 percent.

Doris Meissner, in February of this year, former head of the INS under President Clinton, said this.

''Mandatory,'' this amendment does not make anything mandatory, but she said:

> Mandatory employer verification must be at the center of legislation to combat illegal immigration . . . the E-Verify system provides a valuable tool for employers who are trying to comply with the law. E-Verify also provides an opportunity to determine the best electronic means to implement verification requirements. The Administration should support reauthorization of E-Verify and expand the program . . .

This is an expert in this. She knows that E-Verify is the cornerstone of the entire effort to clear a lawful system of immigration.

Mr. Alexander Aleinikoff, the Clinton administration INS official and President Obama's transition team member, called it a ''myth'' that ''there is little or no competition between undocumented workers and American workers.''

It is a myth. Of course it does. Of course it pulls down the wages of lower hard-working American citizens. They are competition.

Even the distinguished majority leader, Senator REID, has indicated he supports the program. In a time of increased unemployment, our focus should be on creating jobs for American citizens. It is critical that we extend the E-Verify Program in order to protect American jobs and to create a system we can be proud of.

Some critics have argued, the program is too cumbersome and costly. But in a recent letter to the Wall Street Journal, Mark Powell, a human resources officer executive for a Fortune 500 company, wrote this:

> The E-Verify program is free, only takes a few minutes, and is less work than a car dealership would do in checking a credit score.

Well, that is correct. How else can you explain so many employers signing up voluntarily. Recent improvements have also made the system more accurate. The USCIS has begun to incorporate Department of State passport information into the E-Verify program. This allows the system to check passport numbers for citizens providing a U.S. passport as Form I–9. Additionally, foreign born workers who receive a tentative nonconfirmation can now directly call USCIS instead of visiting a Social Security Administration office to resolve the case. Both of these measures are steps toward greater accuracy by eliminating any unforeseen delays in this system.

I will conclude by saying I hope our colleagues will consider this amendment and will all vote for it. It would represent, in my view, a statement that the fundamental electronic system that will help businesses, particularly those that are doing business with the Government, to ensure the applicant who applies with them for a job is lawfully in the country. That system would continue, and it would give encouragement for other businesses to voluntarily sign up for the program. There are 12 States that have made it mandatory. I think this is a good amendment. My amendment is not as far as we should go; it simply reauthorizes the program. It is time to do that. I believe our colleagues are prepared to vote for it. I certainly hope so. I think it would send a very bad message were we not to do so.

We need to make it clear this foundational system will be continued and will remain a part of our enforcement mechanism and we will continue to enhance it, improve it in the years to come.

I would note, of course, if someone shows up as not being lawful, and they cannot be hired, we do not have investigators or police or arrest warrants or jail for them. The employer simply denies their employment eligibility; they are not hired. That is not too much to ask. I think it is the right thing. It is good policy.

I urge my colleagues to support it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. INOUYE. Madam President, how much time remains?

The PRESIDING OFFICER. One minute remains prior to the debate on the McCain amendment.

AMENDMENT NO. 668

Mr. INOUYE. Madam President, I realize time is of the essence, so I will simply say I wish to oppose amendment No. 668, which was submitted by Senator ENZI, which would strip a hold-harmless provision enacted last year in the Ryan White Act, an act we passed several years ago to combat the spread of HIV/AIDS. It is an amendment that will cause some problems to the cities that are helping in this fight, and I hope my colleagues will oppose this amendment.

In 2006, the Ryan White Care Act programs were reauthorized, enacting

some dramatic shifts in the formula by which funds are disbursed to municipalities. Without increased funding, some cities were slated to have more than 25 percent of their funding cut.

To reduce the impact of these extreme cuts, the Labor HHS Appropriations bill has included provisions since 2006 that accomplish two things.

First, the bill has provided increases in the formula funds to offset the cuts.

Second, the bill included language in Part A providing a fully funded partial hold-harmless account.

As the formula funding is increased every year, the funding needed for the hold harmless is decreased. The fiscal year 2009 Omnibus Appropriations bill ensures that no municipality receives more than a 6.3 percent cut from fiscal year 2006 funding levels.

The fiscal year 2009 Omnibus Appropriations bill includes a $35 million increase for Part A grants, of which $10.8 million is used specifically to hold cities to no more than a 6.3 percent cut in their funding level.

The remaining $25 million is used to increase the formula allotments as the second part of efforts to reduce the impact of the authorized shift in the formula.

The Enzi amendment seeks to stop the efforts to soften the blow to those geographical regions negatively impacted from the authorized shift in formula.

When the reauthorization was debated, the best information out there was that there were 40,000 new cases of HIV per year in the U.S.

In 2007, just after that reauthorization passed, we learned that number is really more than 56,000. Between 2004 and 2007, we saw a 15 percent increase in HIV diagnoses. We knew none of this when the reauthorization passed.

With this many new infections happening, we cannot afford to cut HIV treatment funding to any one area so drastically.

We are not overriding the formula. All we are doing is ramping down the funding gradually. As the formula funding increases, the need for the hold harmless decreases.

The Enzi amendment seeks to stop the ramp down approach and impose draconian cuts when our cities simply cannot afford to keep up.

I urge my colleagues to agree to the modest adjustment included in the underlying bill and vote no on the Enzi amendment.

I yield the floor and 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. INOUYE. I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 593

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to a vote on amendment No. 593, offered by the Senator from Arizona, Mr. MCCAIN.

Mr. INOUYE. I yield back the remainder of my time and ask for the yeas and nays.

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

Is there a sufficient second?

There appears to be.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. BENNETT), the Senator from Texas (Mrs. HUTCHISON), and the Senator from Nebraska (Mr. JOHANNS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 32, nays 63, as follows:

[Rollcall Vote No. 86 Leg.]

YEAS—32

Barrasso	DeMint	Lugar
Bayh	Ensign	Martinez
Brownback	Enzi	McCain
Bunning	Feingold	McCaskill
Burr	Graham	McConnell
Cantwell	Grassley	Risch
Chambliss	Gregg	Sessions
Coburn	Hatch	Thune
Corker	Inhofe	Vitter
Cornyn	Isakson	Voinovich
Crapo	Kyl	

NAYS—63

Akaka	Gillibrand	Nelson (NE)
Alexander	Hagan	Pryor
Baucus	Harkin	Reed
Begich	Inouye	Reid
Bennet	Johnson	Roberts
Bingaman	Kaufman	Rockefeller
Bond	Kerry	Sanders
Boxer	Klobuchar	Schumer
Brown	Kohl	Shaheen
Burris	Landrieu	Shelby
Byrd	Lautenberg	Snowe
Cardin	Leahy	Specter
Carper	Levin	Stabenow
Casey	Lieberman	Tester
Cochran	Lincoln	Udall (CO)
Collins	Menendez	Udall (NM)
Conrad	Merkley	Warner
Dodd	Mikulski	Webb
Dorgan	Murkowski	Whitehouse
Durbin	Murray	Wicker
Feinstein	Nelson (FL)	Wyden

NOT VOTING—4

Bennett	Johanns
Hutchison	Kennedy

The amendment (No. 593) was rejected.

Mrs. BOXER. Madam President, I move to reconsider the vote.

Mr. MENENDEZ. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 630

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to a vote on amendment No. 630, offered by the Senator from Arizona, Mr. KYL.

Mr. KYL. Colleagues, this amendment is very simple. It simply calls for a study by the Secretary of State and the DNI about whether additional U.S. taxpayer support out of the annual appropriation for Egypt would aid in stopping smuggling activity from the Sinai into Gaza.

Egypt has been helpful to the United States but much more could be done. I put in the RECORD during my earlier remarks articles that demonstrate the degree to which Egypt is not helping. I think, therefore, those who argue this is a slap in the face at Egypt miss the point. Egypt has been recognized for its support, but it can do much more, and a mere study asking to identify what else it could do would be very appropriate when we are talking about spending U.S. taxpayer dollars.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, this amendment is unnecessary. As the senior Senator from New Hampshire and I both said on the floor this afternoon, the omnibus bill already explicitly authorizes the use of foreign military financing assistance to Egypt for border security programs and activities in the Sinai. Senator GREGG and I put that language in to help them police the border and reduce the smuggling into Gaza. Egypt is cooperating with Israel and the United States to do this. If we were to pass this it would be seen in Egypt as though we do not acknowledge their cooperation, it would be seen as publicly shaming Egypt.

Senators can vote against the Kyl amendment and still be on record supporting additional funds to stop smuggling into Gaza. That is already in the omnibus bill. This is an unnecessary roiling of the waters. Both Senator GREGG and I said this afternoon that it should be opposed.

Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. BENNETT), the Senator from Texas (Mrs. HUTCHISON), and the Senator from Nebraska (Mr. JOHANNS).

The PRESIDING OFFICER (Mr. WARNER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 34, nays 61, as follows:

[Rollcall Vote No. 87 Leg.]

YEAS—34

Alexander	Crapo	Kyl
Barrasso	DeMint	Martinez
Bayh	Ensign	McCain
Brownback	Enzi	McConnell
Bunning	Feingold	Murkowski
Burr	Graham	Nelson (NE)
Chambliss	Grassley	Risch
Coburn	Hatch	Roberts
Collins	Inhofe	
Cornyn	Isakson	

Sessions	Snowe	Thune
Shelby	Specter	Vitter

NAYS—61

Akaka	Gillibrand	Murray
Baucus	Gregg	Nelson (FL)
Begich	Hagan	Pryor
Bennet	Harkin	Reed
Bingaman	Inouye	Reid
Bond	Johnson	Rockefeller
Boxer	Kaufman	Sanders
Brown	Kerry	Schumer
Burris	Klobuchar	Shaheen
Byrd	Kohl	Stabenow
Cantwell	Landrieu	Tester
Cardin	Lautenberg	Udall (CO)
Carper	Leahy	Udall (NM)
Casey	Levin	Voinovich
Cochran	Lieberman	Warner
Conrad	Lincoln	Webb
Corker	Lugar	Whitehouse
Dodd	McCaskill	Wicker
Dorgan	Menendez	Wyden
Durbin	Merkley	
Feinstein	Mikulski	

NOT VOTING—4

Bennett	Johanns
Hutchison	Kennedy

The amendment (No. 630) was rejected.

AMENDMENT NO. 631

The PRESIDING OFFICER. There is 2 minutes of debate, equally divided, prior to a vote on amendment No. 631, offered by the Senator from Arizona, Mr. KYL.

The Senator from Arizona is recognized.

Mr. KYL. Mr. President, this amendment deals with $300 million in this bill that Secretary of State Clinton announced at the donors conference at Sharm el-Sheikh would go to support efforts of the Palestinians in Gaza.

The point of the amendment is to keep the money out of the hands of Hamas. Recognizing that this was important, there is a section of the bill that explicitly puts limitations on the money that flows to the Palestinian Authority to make sure it goes to the Palestinian Authority and not to Hamas or other terrorists.

The problem is, according to a State Department spokesman, other parts of the money are going to go to NGOs and through the U.N. including potentially to a bank in Syria, which launders money to get to Hamas.

The point of this amendment is to provide that the Secretary certify that none of this money goes to Hamas, whether it is through the Palestinian Authority or the U.N. or these NGOs. This amendment is necessary to protect American taxpayer money from getting to terrorist organizations such as Hamas.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, I am in complete agreement with the Senator from Arizona that no money should be diverted to Hamas. That is why the omnibus bill already does that. When Senator GREGG and I wrote this bill we included specific provisions. Section 7040(f) of the bill prohibits funding to Hamas, to any entity effectively controlled by Hamas, or to any power-sharing government.

When it comes to what the State Department might do, the State Department lawyers have said they would not do anything differently if the Kyl amendment were adopted, because laws that protect against the diversion of funds to Hamas are already in the bill. You can vote against the Kyl amendment and still be on record as voting for blocking funds to Hamas. Nobody in this body, Republican or Democrat, wants any funds to go to Hamas. This is an unnecessary amendment. I oppose it.

Mr. KYL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. BENNETT), the Senator from Texas (Mrs. HUTCHISON), and the Senator from Nebraska (Mr. JOHANNS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 39, nays 56, as follows:

[Rollcall Vote No. 88 Leg.]

YEAS—39

Alexander	Ensign	McConnell
Barrasso	Enzi	Murkowski
Bond	Feingold	Nelson (FL)
Brownback	Graham	Nelson (NE)
Bunning	Grassley	Risch
Burr	Hatch	Roberts
Casey	Inhofe	Sessions
Chambliss	Isakson	Shelby
Coburn	Klobuchar	Snowe
Collins	Kyl	Specter
Cornyn	Lieberman	Thune
Crapo	Martinez	Vitter
DeMint	McCain	Wicker

NAYS—56

Akaka	Feinstein	Mikulski
Baucus	Gillibrand	Murray
Bayh	Gregg	Pryor
Begich	Hagan	Reed
Bennet	Harkin	Reid
Bingaman	Inouye	Rockefeller
Boxer	Johnson	Sanders
Brown	Kaufman	Schumer
Burris	Kerry	Shaheen
Byrd	Kohl	Stabenow
Cantwell	Landrieu	Tester
Cardin	Lautenberg	Udall (CO)
Carper	Leahy	Udall (NM)
Cochran	Levin	Voinovich
Conrad	Lincoln	Warner
Corker	Lugar	Webb
Dodd	McCaskill	Whitehouse
Dorgan	Menendez	Wicker
Durbin	Merkley	Wyden

NOT VOTING—4

Bennett	Johanns
Hutchison	Kennedy

The amendment (No. 631) was rejected.

Mr. INOUYE. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 668

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to a vote on amendment No. 668 offered by the Senator from Wyoming, Mr. ENZI.

Mr. ENZI. Mr. President, this amendment is an issue of the fairness of HIV/AIDS funding on which most of my colleagues who were here last year voted with me. With just those votes again, my amendment would be adopted.

When we passed the last reauthorization of Ryan White 3 years ago, we changed the formula to follow the HIV/AIDS patients. We did not just keep increasing the amounts the cities got. The amount had to relate to HIV or AIDS patients who were still living. We even put in a hold harmless clause so no one would lose more than 5 percent over the 3-year period. The reauthorization passed unanimously with the House agreeing with our changes.

This amendment does not affect Wyoming, but I am sensitive as chairman of the committee when we passed the reauthorization. The omnibus has a provision which, according to the GAO, only four States gain money. Of the $10 million being redistributed, San Francisco gets $6.7 million. New York, New Jersey, Connecticut, and California are the only States that gain. This is redistributed money, which means it is not new money. This is money being taken from those with an increasing problem to pay for those with a decreasing problem.

This language is an attempt to change a formula for which most of my colleagues voted. I ask my colleagues to vote for the amendment.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, when the reauthorization of the Ryan White legislation came through, the best scientists who testified before us said there were about 40,000 new cases of HIV in the United States. In 2007, just after the reauthorization passed, the number was more like 56,000.

Between 2004 and 2007, we saw a 15-percent increase in HIV diagnoses. So we put this formula in without knowing this information. Some of the cities, such as San Francisco and New York—I know Senator DODD told me about a couple cities in Connecticut that will get up to a 25-percent cut in Ryan White.

What we did was we put in this bill a $35 million increase for Ryan White. Mr. President, $25 million goes for the Enzi formula. About $10.8 million goes to help hold harmless those largest cities that will be facing a 25-percent cut. We cannot afford to have these cities take that 25-percent cut.

If we want to go after the HIV/AIDS, we have to go where the people are diagnosed with HIV/AIDS. That is what this bill does.

I urge the defeat of the Enzi amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. ENSIGN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. BENNETT), the Senator from Texas (Mrs. HUTCHISON), and the Senator from Nebraska (Mr. JOHANNS).

The PRESIDING OFFICER. Are they any other Senators in the Chamber desiring to vote?

The result was announced—yeas 42, nays 53, as follows:

[Rollcall Vote No. 89 Leg.]

YEAS—42

Alexander	DeMint	McConnell
Barrasso	Ensign	Murkowski
Bond	Enzi	Nelson (FL)
Brownback	Graham	Nelson (NE)
Bunning	Grassley	Risch
Burr	Gregg	Roberts
Carper	Hatch	Sessions
Chambliss	Inhofe	Shelby
Coburn	Isakson	Snowe
Cochran	Kyl	Specter
Collins	Lugar	Thune
Corker	Martinez	Vitter
Cornyn	McCain	Voinovich
Crapo	McCaskill	Wicker

NAYS—53

Akaka	Feinstein	Mikulski
Baucus	Gillibrand	Murray
Bayh	Hagan	Pryor
Begich	Harkin	Reed
Bennet	Inouye	Reid
Bingaman	Johnson	Rockefeller
Boxer	Kaufman	Sanders
Brown	Kerry	Schumer
Burris	Klobuchar	Shaheen
Byrd	Kohl	Stabenow
Cantwell	Landrieu	Tester
Cardin	Lautenberg	Udall (CO)
Casey	Leahy	Udall (NM)
Conrad	Levin	Warner
Dodd	Lieberman	Webb
Dorgan	Lincoln	Whitehouse
Durbin	Menendez	Wyden
Feingold	Merkley	

NOT VOTING—4

Bennett	Johanns
Hutchison	Kennedy

The amendment (No. 668) was rejected.

Mr. HARKIN. Mr. President, I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

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

AMENDMENT NO. 637

Mr. BARRASSO. Mr. President, I call up amendment No. 637 and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment? Without objection, it is so ordered.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Wyoming [Mr. BARRASSO], for himself, and Mr. ENZI, proposes an amendment numbered 637.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To remove the new application fee for a permit to drill)

On page 426, lines 18 through 22, strike ''to be reduced'' and all that follows through ''each new application,''.

Mr. BARRASSO. Mr. President, I would like to talk a minute, if I could, on my amendment.

Imagine you run a small company, a small, independent oil-and-gas operation in Wyoming, and you have about a dozen people you employ—people who are getting good benefits, people who have health insurance, people who have retirement benefits—and you are applying for a permit to explore for energy. As a result, people are going to be put to work, your business is going to grow, and the economy of your community is going to prosper.

Well, the success of your business strategy relies on the Government, unfortunately. It relies on the Government to process your application and to provide you with a response—is it OK to explore or is it not OK? The law says the Government has to let you know in 30 days up or down, yes or no, is it OK. Well, you have 30 days to get geared up. You are waiting for your response.

Now, Mr. President, when you put in that application, you also had to send in $4,000—$4,000 for each well. So if you are applying to do 10, that is $40,000, but you know you are going to get your response in 30 days. Well, the calendar proceeds and the clock winds down and you begin checking your mail every day. Nothing arrives. Each day for 30 days you check your mail. Nothing. You have called the agency but no permit. They say they are deferring a decision. Another 30 days passes. Nothing. You wait another 90 days and still no permit. You have paid your $4,000 but no permit.

Half a year has passed—as has happened to many people in Wyoming—and what do you have? Nothing. You have sent in $4,000, you have waited 6 months, the Government has promised you an answer in 30 days, and you have nothing—not a yes, not a no, nothing.

That is the situation that small business owners in my State are facing every day. It is a sad state of affairs when the Government can't meet its own deadline.

Meanwhile, the backlog of these permits at the Bureau of Land Management continues to grow. As of February 14 of this year, in the field office in Buffalo, WY, Johnson County, the Bureau of Land Management has over 2,600 applications for permits that are still pending—2,609 permits still pending. For those applications in Buffalo, WY, Washington has collected $4,000 per permit. That is over $10 million. The energy producers in Wyoming continue to wait for an answer.

America's independent producers drill and manage 90 percent of America's wells. They produce 82 percent of America's natural gas and 62 percent of American oil. There are approximately 5,000 of these independent producers in the United States, and on average they have about a dozen employees. These are small businesses. These small business men and women create jobs in the United States. These folks are entrepreneurs whose hard work and innovative skills are integral to meeting our Nation's energy needs.

The fees to apply for a permit place an especially heavy burden on small independent producers without any tangible benefit whatsoever. Congress should be focused on promoting job growth not on imposing additional fees on U.S. energy investment and production. Unfortunately, the fee is just the beginning of what these independent producers are facing. The administration has already moved to restrict oil-and-gas exploration and development in the United States. The administration is proposing more fees, more taxes, and more restrictions on these activities. None of this will make the United States more energy independent. None of the administration's proposals will make the Federal Government operate more efficiently.

I have talked to a number of these folks who are in this business, and they tell me if the money that was collected from this application fee—this $4,000 per permit—were actually used to hire more people to help process the permits, then they could actually understand there is some purpose in this fee, that it is being used to help with studying this, looking at this, getting more people to work through these 2,600 applications for permits, for which they still have no answer.

Unfortunately, that is still not the case. The fee doesn't go to the Bureau of Land Management to reduce the permit backlog. It doesn't go to hire more people to look at these permits, to say if we should give them a yes or a no.

At the very least, all of the revenue should be spent on reducing this permit backlog so that the Government can keep its word to let people know in 30 days yes or no, up or down. Instead, this money is going into the Washington black hole.

So I urge my colleagues to support this amendment. We should not be rewarding the inefficiency of Washington and the way this Government is currently working.

Mr. President, I yield the floor.

Mr. WARNER. Is there further debate on the amendment?

If not, the question is on agreeing to the amendment.

The amendment (No. 637) was rejected.

Mr. REID. Mr. President, I move to reconsider the vote.

Mr. CARPER. I move to lay that motion on the table.

The motion to lay and the table was agreed to.

PROJECT ATTRIBUTION CORRECTION

Mr. BOND. Mr. President, I rise today to join with our chair, Senator MURRAY, in a colloquy to correct a clerical error in the attribution table accompanying division I of H.R. 1105. Senator BARRASSO is listed as having requested the ''Casper Civic Auditorium'' project under HUD Economic Development Initiatives. My staff has confirmed that this project was not requested by Senator BARRASSO and, as

such, Senator BARRASSO's name should not be listed as a requestor.

Mrs. MURRAY. My colleague and subcommittee ranking member, Senator BOND, is correct. This resulted from a clerical error involving confusion between two different projects in the city of Casper. Senator BARRASSO should not be listed as a sponsor of the Civic Auditorium project.

Mr. BOND. I thank the chair for her assistance in this matter.

Mr. REID. Mr. President, I ask unanimous consent that on Tuesday, March 10, tomorrow, after the opening of the Senate, the Senate resume consideration of H.R. 1105; that the remaining amendments be considered, debated, and that after all debate is concluded on the remaining amendments, the Senate then proceed to vote in relation to the amendments in the sequence established under a subsequent order, with 2 minutes of debate equally divided and controlled in the usual fashion prior to a vote in relation to each; and that after the first vote in the sequence, remaining votes be limited to 10 minutes each; that upon the disposition of all remaining amendments, there be 30 minutes of debate prior to a vote on the motion to invoke cloture on H.R. 1105 that will be equally divided and controlled between the leaders or their designees, with the remaining provisions of the order of March 6, 2009, remaining in effect.

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

Mr. REID. What this means is we will tomorrow debate all of the amendments. I think there are seven left. A number of those may not be brought to a vote. After the debate is completed, we will set a time to start voting, and we will go right through the sequence as indicated in the unanimous consent order.

It should work out very well. Everyone has had an opportunity to offer the amendments they want that are on the list.

EXECUTIVE SESSION

NOMINATION OF DAVID W. OGDEN TO BE DEPUTY ATTORNEY GENERAL

Mr. REID. I now move to executive session to consider Calendar No. 21, the nomination of David Ogden to be Deputy Attorney General.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The clerk will report the nomination.

The assistant legislative clerk read the nomination of David W. Ogden, of Virginia, to be Deputy Attorney General.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the clerk will report the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of David W. Ogden, of Virginia, to be Deputy Attorney General.

Harry Reid, Patrick J. Leahy, Sheldon Whitehouse, Richard Durbin, Charles E. Schumer, Ron Wyden, Patty Murray, Amy Klobuchar, Debbie Stabenow, Bernard Sanders, Russell D. Feingold, Benjamin L. Cardin, Dianne Feinstein, Daniel K. Akaka, Herb Kohl, Jon Tester, Edward E. Kaufman.

Mr. REID. I ask unanimous consent that the mandatory quorum be waived.

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

Mr. REID. I regret that we need to file cloture on the nomination of David Ogden to be the Deputy Attorney General.

Mr. Ogden is eminently qualified for this job. He is a graduate of Harvard Law School and clerked on the Supreme Court for Justice Harry Blackmun. During the Clinton Administration, he served as the Assistant Attorney General for the Civil Division and as Chief of Staff to the Attorney General. He is currently a partner in a major Washington law firm.

His nomination was reported favorably by the Judiciary Committee by a vote of 14–5, with 3 Republicans including Ranking Member SPECTER supporting him. So there is little doubt cloture will be invoked and he will be confirmed.

As I understand it, the argument of those who oppose him is that he took positions on behalf of law firm clients that some members do not agree with. In my view, that is an unfair basis for opposing a nominee.

In any event, it is unfortunate we could not enter into a unanimous consent agreement to debate the nomination and have a simple up/down vote. President Obama deserves to have his advisors, especially members of his national security team, in place as quickly as possible. If we are forced to file cloture on nominees who are obviously going to be confirmed, we are wasting up valuable time that should be used to address the pressing problems facing the nation.

LEGISLATIVE SESSION

Mr. REID. I now move that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, the motion is agreed to.

EXECUTIVE SESSION

NOMINATION OF AUSTAN DEAN GOOLSBEE TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS

Mr. REID. Mr. President, I now move to executive session to consider Calendar No. 15, the nomination of Austan Dean Goolsbee to be a member of the Council of Economic Advisers.

The PRESIDING OFFICER. Without objection, the motion is agreed to.

The clerk will report the nomination.

The assistant legislative clerk read the nomination of Austan Dean Goolsbee, of Illinois, to be a member of the Council of Economic Advisers.

CLOTURE MOTION

Mr. REID. I now send a cloture petition to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the clerk will report the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Austan Dean Goolsbee, of Illinois, to be a Member of the Council of Economic Advisers.

Harry Reid, Christopher J. Dodd, Patrick J. Leahy, Sherrod Brown, Byron L. Dorgan, Jack Reed, Jeff Merkley, Michael F. Bennet, Charles E. Schumer, Amy Klobuchar, Richard Durbin, Patty Murray, John F. Kerry, Sheldon Whitehouse, Ben Nelson, Jeff Bingaman, Herb Kohl.

Mr. REID. Mr. President, I ask unanimous that the mandatory quorum be waived.

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

LEGISLATIVE SESSION

Mr. REID. Mr. President, I now move that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, the motion is agreed to.

EXECUTIVE SESSION

NOMINATION OF CECILIA ELENA ROUSE TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS

Mr. REID. I now move to executive session to consider Calendar No. 16, the nomination of Cecilia Elena Rouse, of California, to be a member of the Council of Economic Advisers.

The PRESIDING OFFICER. Without objection, the motion is agreed to.

The clerk will report the nomination.

The assistant legislative clerk read the nomination of Cecilia Elena Rouse, of California, to be a member of the Council of Economic Advisers.

CLOTURE MOTION

Mr. REID. I now send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been filed pursuant to rule XXII, the clerk will report the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Cecilia Elena Rouse, of California, to be a Member of the Council of Economic Advisers.

Harry Reid, Christopher J. Dodd, Patrick J. Leahy, Sherrod Brown, Byron L. Dorgan, Jack Reed, Jeff Merkley, Michael F. Bennet, Charles E. Schumer, Amy Klobuchar, Richard Durbin, Patty Murray, John F. Kerry, Sheldon Whitehouse, Ben Nelson, Jeff Bingaman, Herb Kohl.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum be waived.

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

LEGISLATIVE SESSION

Mr. REID. Mr. President, I now move that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, the motion is agreed to.

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

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

MORNING BUSINESS

Mr. DURBIN. I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

PRESIDENTIAL PROBLEM SOLVING

Mr. ALEXANDER. Mr. President, in the midst of much talk about bipartisanship and not much to show for it, I have a nomination for an issue upon which we can work together, and that is this: review the maze of conflicting forms, FBI investigations, IRS audits, ethics requirements, and financial disclosures to make it possible for President Obama and future Presidents to put together promptly a team to help them solve big problems.

This is an urgent problem today because during the worst banking crisis since the Great Depression, the man in charge of fixing the crisis, Treasury Secretary Timothy Geithner, apparently is sitting in his office without much help, at least from any Obama Presidential appointees.

According to news accounts, among the key vacant positions at the Treasury Department are the Assistant Secretary for Tax Policy; the Deputy Assistant Secretary for Tax Policy; the Deputy Assistant Secretary for Tax Analysis; the Deputy Assistant Secretary for Tax, Trade, and Tariff Policy; and the Deputy Assistant Secretary for International Tax Affairs. The first choice for Deputy Secretary of the Treasury appears to have withdrawn her name from consideration.

Four months after the President's election, according to TheBigMoney.com, the list of vacancies on the Treasury Department Web site shows that ''Main Treasury Building is a lonely place, conjuring up visions of Geithner signing dollar bills one by one . . . , watering the plants, and answering the phones when he's not crafting a bank rescue plan.''

Of course, there are the career employees available and at least one holdover Assistant Secretary and various czars in the White House—but even one of the czars has expressed concern about the slow pace of filling Treasury Department jobs at a critical time.

Part of the problem may be attributed to the Treasury Secretary's boss, our impressive new President, who is nevertheless subject to the criticism that he is living over the store but not minding it.

Presidents have many problems to solve, but no one ever suggested that the wisest course is to try to solve them all at once. There is a tradition that Washington, DC, can only do one thing well at a time. And Presidents are supposed to exclude from the White House the merely important issues so they may deal with the truly Presidential problems, which surely must not include being distracted by debates with radio talk show hosts.

President Eisenhower, who knew something about leading complex organizations, said in 1952: ''I will go to Korea.'' The country relaxed and elected him, confident that the general would end the Korean war.

We need for President Obama to say in Eisenhower fashion ''I will fix the banks''—and then stay home long enough to do it. Then the country might relax a little and gain some confidence that this might actually happen, which is the first step and perhaps the main step in economic recovery.

But the President needs a team at Treasury to help persuade the American people that he can and will get the job done.

The President has brought on himself some of the difficulty of putting together a team. In addition to having too many balls in the air at once, in my opinion, his standards for hiring sometimes seem to have the effect of disqualifying people who know something about the problem from being hired to solve the problem.

But another part of the President's difficulty in filling jobs—one that has afflicted every President since Watergate—is the maze of investigations and forms that prospective senior officials must complete and the risk they run that they will be trapped and humiliated and disqualified by an unintentional and relatively harmless mistake.

I voted against the nomination of Secretary Geithner because I thought it was a bad example for the man in charge of collecting the taxes not to have paid them. And I thought his excuse for not paying was not plausible. But that does not mean that we should disqualify every Presidential nominee for minor tax discrepancies that result from the complexity of our Byzantine Tax Code, a Tax Code which has reached 3.7 million words, according to a January report by the National Taxpayer Advocate, and which is badly in need of reform.

I suspect very few Americans with complex tax returns can go through a multiple-year audit without finding something with which the IRS might disagree.

Take the case of former Dallas mayor Ron Kirk, President Obama's nominee to be U.S. Trade Representative, who headlines report paid back taxes primarily because he failed to list as income—and then take a charitable deduction on—speaking fees that he gave away to charity. Common sense suggests, and his tax preparer thought, what Mr. Kirk did was appropriate. After all, he did not keep the money. The IRS apparently has a more convoluted rule for dealing with such things. In any event, the matter is so trivial as to be irrelevant to his suitability to be the trade nominee.

Tax audits are only the beginning. There is the FBI full field investigation during which friends of the nominee are asked such questions as: Does he live beyond his means?

When I was nominated for Education Secretary a few years ago, one of my friends replied to the FBI agent: Don't we all?

There are Federal financial disclosures. Then there is the White House questionnaire, and, of course, the questions from the confirming Senate committee. The definition of what constitutes ''income'' on some forms is different than the definition of ''income'' on others. It is easy to make a mistake.

This is not as bad as it could be. We have a Democratic President and a Democratic Congress with big majorities in both Chambers. So the nominees have gone through fairly quickly. But when the Congress is of a different party than the President, the congressional questionnaires expand and sometimes delay the nomination for more weeks.

Washington, DC, has become the only place where you hire a lawyer, an accountant, and an ethics officer before you find a house and put your kid in school.

The motto around here has become: ''Innocent until nominated.''

Every legal counsel to every President since Nixon would, I suspect, agree that in the name of effective government, this process needs to be changed. Most have tried to change it, but in Washington style, new regulations pile up on top of old ones, creating a more bewildering maze.

So I have this suggestion—and one of the Senators to whom I want to make the suggestion is here today, the Senator from Connecticut. I suggest Senator LIEBERMAN and Senator COLLINS, who are the chairman and ranking member of the committee with jurisdiction over this mess and who have a tradition of working well together, should set as a goal to clean it up by the end of the year. Invite all the former White House counsels of both parties to give their opinions. Consolidate and simplify the forms so we learn only what we need to know.

To help with this, I suggest that Senators LIEBERMAN and COLLINS form one of those ''gangs'' that we occasionally form in the Senate, maybe a dozen or more Senators equally divided among both parties—some from the Homeland Security and Governmental Affairs Committee and some not—in order to limit the possibility that everyone will run away from the final recommendations because they fear someone might think Senators are not interested in ethical and good government.

Good government right now means fixing the banks and having the best possible team to do it. As a Washington Post editorial writer said yesterday of the President:

> As he convened his ''health care summit'' at the White House . . . the stock market was hitting another 12-year low, General Motors was again teetering on the brink of insolvency and the country was still waiting to hear the details of the Treasury's proposal to bail out banks.

Maybe we can make this grand bargain with our new President: If you will keep your eye on the ball—in this case, fixing the banks so the economy will get moving again—we will work in a bipartisan way to make it easier for you and for future Presidents to promptly assemble a team and govern us properly.

PRESIDENT OBAMA'S STEM CELL EXECUTIVE ORDER

Mr. DODD. Mr. President, I wish to highlight the Executive order signed today by President Obama that will bring hope to millions of patients and their loved ones and relief to scientists and researchers throughout the country.

With this Executive order, President Obama has overturned the harmful restrictions on scientific discovery established by President Bush and his administration. And with his Presidential memorandum, President Obama has set our country on a path where science, not politics or ideology, will guide public policy and Government decision-making.

Today's Executive order will help our Nation's scientists perform promising stem cell research that may one day provide relief to the more than 100 million Americans suffering from Parkinson's, diabetes, spinal cord injury, ALS, cancer, and many other devastating conditions for which there is still no cure.

Several of my Senate colleagues, led by Senators HARKIN, SPECTER, KENNEDY, HATCH and FEINSTEIN, and I, tried to allow embryonic stem cell research to go forward with the passage of the Stem Cell Research Research Enhancement Act in both the Senate and the House, but these efforts were consistently blocked by President Bush's veto.

I am joining my colleagues again on this legislation because we need to codify the protection of embryonic stem cell research in order to guard against the possibility that a future President might seek to undo the tremendous step taken today by President Obama.

In my own State of Connecticut, we lost a great pioneer in the global effort for stem cell research last month with the untimely death of Dr. Xiangzhong ''Jerry'' Yang. Since he came to the United States from China, Dr. Yang devoted his life's work to furthering science and working toward curing deadly and debilitating diseases.

Dr. Yang was a brilliant and prescient reproductive biologist at the University of Connecticut who conducted some the world's leading work in the 1990's to refine the cloning of cows and bulls through the use of adult cells in order to improve the efficiency of cloning technology and improve the availability of cloned cattle for size and weight, high milk production, and other favorable genetic traits. Dr. Yang collaborated with Japanese scientists in 1998 to clone a prize bull with cells scratched from the animal's ear.

While at the University of Connecticut, Dr. Yang organized researchers to help found the university's Center for Regenerative Biology in 2001. As the center's director, Dr. Yang continued his work toward producing tissue to be used in heart surgery, organ replacement, and other medical procedures.

He was a leading force behind the Connecticut State Stem Cell Research Program which was signed into law in 2005. This $100 million initiative to support stem cell research earned Connecticut the moniker ''Stem Cell Central'' by the New York Times. Dr. Yang will be missed, but with today's announcement by President Obama, the fruits of his persistence will inform generations of stem cell scientists to come who will now be able to conduct their work without the arbitrary restrictions put in place by President Bush.

Today is a momentous day for patients and their loved ones as well as researchers and scientists throughout the country. To the thousands of parents in the State of Connecticut whose children live every day with juvenile diabetes or who watched and suffered as their loved one succumbed to ALS, cancer, or Parkinson's disease, today's announcement can't bring that loved one back or immediately provide a cure to their disease but it will mean that future generations of Americans may not have to suffer as they did. Today's announcement brings hope that not only can future discoveries be possible, but they are possible right here in the United States.

I applaud the President for his actions today in support of science and hope. And I congratulate the many advocates and researchers in Connecticut and around the country for their persistence in making this hard-fought victory for science a reality.

ALHURRA TELEVISION

Mr. KAUFMAN. Mr. President, I rise to call my colleagues attention to a promising development for U.S. public diplomacy efforts in the Middle East. Yesterday, Alhurra Television, the U.S. Government-sponsored Arabic language channel, launched a new groundbreaking live television show originating simultaneously from five countries and three continents including Dubai, Beirut, Cairo, Jerusalem and Alhurra's headquarters in Springfield, Va. The 3-hour daily program titled Al Youm (Today in Arabic), provides viewers a window to the world through its coverage of the latest news from the Middle East, the United States, and the world. The show also includes topics such as health, sports technology, entertainment news, and social and cultural issues. Al Youm includes interviews with everyone from politicians to athletes, leaders in business, and the arts.

On its opening broadcast, Al Youm carried an interview with House International Relations Committee Chairman Howard Berman and included a report from Alhurra's White House correspondent discussing the Obama administration's outreach to a moderate faction of the Taliban. Since its launch coincided with International Women's Day, Al Youm had a series of reports on the role of women in the Middle East, including a story on young girls being forced into marriage and a live interview with the Executive Director of Dubai's Social Development Institute. There was also a profile of the former First Lady of Lebanon and her work as the founder of a health center for children with blood diseases. Al Youm had the latest financial and sports news, as well as a health segment on the growing problem of obesity.

Al Youm's entertainment segments featured well-known singers and performers in the region. Popular Arab singer Myriam Fares introduced her latest song that has not been released to the public. Hisham Abbas, another famous Arab singer, joined Al Youm during its debut and sang his most popular hit song, Feno. Actress Nadine Al Rassi appeared live to discuss her program, Assr El Harim, one of the most popular television programs in the Middle East. Al Youm also profiled the first Arab singer to represent Israel in the Eurovision Festival.

Al Youm further enhances the strong core of program options already offered

by Alhurra Television. Launched in 2004 under the U.S. Broadcasting Board of Governors, the 24-hour broadcast network has gained traction in the competitive television marketplace of the Middle East. Recent surveys of the Middle East by research companies such as ACNielsen show that Alhurra has a weekly reach of an estimated 26 million adults. Alhurra is broadcast on the Nilesat and Arabsat satellites in the Middle East and the Hotbird satellite system in Europe. Al Youm is also streamed live on the Internet—Alhurra.com—at 4–7 p.m. GMT.

INTERNATIONAL WOMEN'S DAY

Mr. FEINGOLD. Mr. President, yesterday I joined people around the world in marking International Women's Day. Since the beginning of the 20th century, variations of this day have been observed as an opportunity to highlight the issues that directly affect the lives of women and girls. At the same time, it is a day to reflect upon the lives, accomplishments, and struggles of women in our personal and collective histories. Much has been achieved since the first celebrants of National Women's Day began advocating for voting rights, shorter working hours, and higher pay. I am pleased that this Congress has already added to those achievements by passing the Lilly Ledbetter Fair Pay Act of 2009 to help ensure protection from pay discrimination.

Nevertheless, the need for such activism continues and the theme selected by the United Nations for this year's International Women's Day reminds us of that. The theme is ''Women and men united to end violence against women and girls.'' Throughout the world, whether in war-torn villages in eastern Congo or Darfur or Sri Lanka, this theme is tragically relevant. Here in America, too, this year's theme is tragically relevant. Despite all the progress we have made, gender-based violence and sexual assault remain a devastatingly regular occurrence.

We must do more to protect women and girls here at home and abroad whose lives are affected by this violence. I believe one way we can affirm our commitment to improving the status of women domestically and internationally is by ratifying the Convention on the Elimination of All Forms of Discrimination Against Women—CEDAW—now. The Convention was signed by the U.S. in 1980 and favorably reported by the Senate Foreign Relations Committee in 2002 with several reservations, understandings and declarations clarifying the Senate's position. Nevertheless, it still hasn't been considered by the full Senate. Our ratification would send an important message to the international community about our commitment to the rights of women and girls.

We still have a long way to go, but International Women's Day reminds us that transformation is possible. We recognize the awesome power of our heroes who have struggled for change, especially women who have refused to give in or remain silent in the face of injustice. Many famous women come to mind, but there are also so many more whose names may not be noted in the pages of history but whose courage and compassion have made a lasting difference in the lives they've touched. Let's commit today to honor their legacy and to work for a lasting end to violence against women and girls.

IDAHOANS 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:

My husband and I are not feeling the effects as much as others, except perhaps at the supermarket. I use Valley Transit or walk because I am legally blind and cannot drive. My husband has been a cyclist most of his life and also has the mindset of using alternative transportation. We live close to his place of employment, so he walks to work. Our 19-year-old daughter, who has a vehicle of her own, has parked it for the most part and rides her bike to work from the Northwest Boise to Zoo Boise. We are pleased that she has been influenced by our lifestyle of not being tied to a vehicle for transportation.

It has been my opinion for many years that many Boiseans are greedy motorists. They must have their cars, a huge part of their image....too good for public transportation, and they are rude behind the wheel. As a pedestrian, I cannot tell you how many times I have almost been hit in the crosswalk when I had the walk signal. Many times a turning motorist has accelerated to beat me through the crosswalk. Also, I have been in the middle of a busy intersection with the walk signal and had to stop for turning drivers as they were not going to stop for me. That infuriates me!

And then, we have the air quality issues in the Treasure Valley that most greedy motorists totally ignore...it is not their problem, apparently. How irresponsible!!

So, to be honest with you, I am not so unhappy about the situation, and only hope that people will start using alternative modes of transportation and that there will be less cars on the street for both the safety of pedestrians and the improvement of air quality. Maybe it will take a bigger price hike to alert citizens to their responsibility for the issues of their community and the environment.

MARILYN.

PS. I am a respected, educated native of Boise and my motto is, ''If the bus is good enough for me, it is good enough for everyone.'' I know the local transit system is not the best, but if perhaps increased rider-ship increases revenue, perhaps there could be an increase in routes and efficiency.

Our lives have been greatly affected by rising energy costs. My local store prices are high and we have been unable to afford gas to go 65 miles to a cheaper outlet grocery store.

Gas prices have made it almost impossible for us to visit our children and grandchildren who live 4-1/2 hours and 2-1/2 hours away respectively. We used to visit them (and they visited us) about once a month. Now we are reduced to twice a year.

Propane and electricity have risen too, making eating out or a movie impossible. We are a lower middle class family making about $40,000 a year, yet we cannot afford anything but the basics. How are we supposed to ''tighten our belts'' any further?

These energy considerations should have been taken into account while President Clinton had his first term. At least then we would be in a much better position today. Not that I am excusing this Congress or President from their responsibility. Please do not wait any longer to protect our citizens from slowly going broke. Otherwise we may not be able to afford Congress at all!

RENATA, *Kamiah*.

I absolutely agree with your policy of using our own resources to keep America's economy going. Our electrical company has diesel-powered trucks to travel a six-state area, and we are not able to pass along all our overhead because of the tight bidding of jobs. Also, our employees have to have more wages just to keep even or we are not able to keep them. Bottom line—our net return is down.

The time to act was several years ago, but in reality ANWR and coastal drilling has to be on fast track along with oil refining capacities increased. Some time when we reach a crisis mode other alternatives are explored but in the infancy stage the timing is not here yet to allow an impact, although we need to proceed ahead with incentives so other forms of energy can come on line. Has the federal land bank been explored to use fees paid for no production to be applied to raise (example: safflower seed for diesel fuel)??

I appreciate the effort you are doing for our nation and state.

TOM.

I do not support more drilling or any other method of increasing the oil supply. Rather, I would see our money go to sustainable sources. Fund quality research and development of alternative energy (other than those that will compete with food supply) rather than throwing good money after bad.

SIMONSONS, *Boise*.

Like most Idahoans, the escalating price of gasoline is hitting my family very hard. We do not drive SUVs; we drive small 4-cylinder vehicles. But, when the price of gasoline is four times higher than it was a few years ago, and our wages have not increased, we are having a hard time, even living paycheck to paycheck.

I believe that the ban on domestic drilling for oil is another of many senseless acts of national suicide. Moreover, I believe that the idea of human-caused global warming is a grab for political power by the elites over our sovereign people. I watched a Nova program on PBS several years ago called ''Cracking the Ice Age'' where the statement was made that the majority of greenhouse gases in the atmosphere come from volcanoes and deep-sea geothermal vents.

The environmental policy implications of this statement are staggering. It means we are not harming the environment by driving our cars. The high price of gasoline may be making the radical environmentalists feel good, but it is destroying our nation's families. I admonish you to lift the ban on oil exploration and to firmly resist the idea of some in the Democrat Party to nationalize our country's oil companies, with the ensuing Soviet style rationing of gasoline that would inevitably result.

DUANE, *Hayden*.

The effects of rising gasoline prices are hugely negative!!!!!

We chose to keep our home in Bingham County because of rural living expenses seem to be less than city taxes, etc. However that creates the need to drive 50 miles round trip for me and 100 mile round trip for my husband each day. Our budget is strangling as a result of the inflated fuel prices. They have removed the flexibility we once had to visit our families who live in southeastern Idaho. My father is approaching 90 and needs more visits. How do you prioritize visiting my father or saving the money so I can get to work each day? Or visiting my son and grandchildren or saving the money to get to work each day! Mind you, I am also in a carpool to help with the current gouge to the pocketbook as a result of the super-inflated gasoline prices. We are conserving in every way possible but it still is adding to the pain every time we need to put gasoline in our vehicles. Media refers to the prices and ''feeling the pinch''. That connotation does not even begin to describe the ''pain at the pump.''

My daughter and her family, who lives in Kansas City, Missouri, cannot afford to drive to Idaho due to the exorbitant prices of fuel. The gouging affects our basic needs of being with our family, caring for the aging people in our society because we have to cut back in every way possible. Where we used to feel like supporting local restaurants and other places, we do not anymore because we simply cannot afford to take a drive, go see a part of Idaho and support the residents in those locations. It is too expensive to enjoy simple pleasures such as driving to the mountains or to visit relatives.

The food prices are hugely affected, also. We are forced to cut back on what we buy at the grocery store. The food budget just does not go as far anymore. And for those of us who are trying to add a little each grocery visit to have a small food supply on hand, that just is not happening as a result of the gouging of fuel prices. It affects everything in our current lifestyle. And for why?

So those at the head of oil companies can continue to stuff their already over-inflated earnings. It is a travesty! The greed of [our leadership and the oil companies is] well-known. They should not be able to sleep at nights if they had any conscience at all.

Something must be done so that the rich governing bodies of the oil companies in their greed are held at bay. I have always respected free enterprise in America, but now, as a result of greed, I ask, ''Why do they profit from crushing our economy, jobs, and destroy lives of the American citizens''. It is not right! We are told American does not have any fuel reserves yet other reports say we have a tremendous supply and oil companies are playing the game to drive up prices. Is anyone in Congress willing to stand up to the oil companies and special interests that control so many issues that are in disarray??

We aren't rich folks in Idaho. Most of us live a relatively simple life style and families all over are negatively affected because of the greed and dishonesty of our governing officials. They are raking and destroying the citizens of this great country and the economy for their own gain. They will have accountability for their greed at some point, whether in this life or the next. Feel free to pass along my opinion.

RONDA.

We will have to pay it, but with a 95-year-old mother 450 miles away and a very ill sister about 425 miles away. It is tough. We cannot fly to get to either so we have to drive. A couple of hundred dollars to get to either place is tough when you are retired on fixed income. Drilling is great but too late to do any good now. The speculators are the problem not so much the source or availability. We need new refineries too!

GEORGE, *Boise*.

Thank you for representing our family's interests on the Senate floor. We appreciate your diligent efforts that push for commonsense efforts.

Like most of our neighbors, our family has been impacted by the rising costs of fuel and groceries. My husband is a student at BSU, and I am a stay-at-home mom with our beautiful one-year-old daughter. My husband works hard in school and has a part time job, but it is getting harder to budget for the skyrocketing prices we see.

We are in support of energy conservation efforts. We ride our bikes to the grocery store and fill up the bike trailer with groceries. We walk, run or bike where we can. We support technology that reduces the need of oil. There are many things we can do to use less oil, however, we still need it. We support exploring U.S. oil reserves. We support corn and sugar ethanol exploration. We want the United States to prepare so we will be strong enough to stay true to the principles we were founded upon. We have plenty of opportunities within the States to drill for oil. Why do the environmentalist liberals care more for the caribou than for humans? We can have both. Dependence on foreign oil does not lessen pollution, it just means someone else will drill with less environmentally friendly machinery. We have better technology and can more efficiently drill.

Please keep up your hard work. We offer our support and gratitude for your service.

NATE and AMY, *Boise*.

Before all of the energy garbage, we had a pretty good life. My newly married wife and I both had good jobs, afforded everything we needed and did not have a lot of worries. Now with the energy problems, people have cut back on spending, so my wife may lose her job because of the lack of work. She is looking for a second job just so we can afford fuel to get to work. My job is getting more and more unstable being in the construction market. Our company is a small company, and the fuel is really making the work almost not worth doing. It is costing $150 a week for each truck if it stays pretty close to town.

My wife and I are pretty young and have not built up a big savings to draw from so we now have to watch every penny like it is our last. We no longer can afford eating out, let alone eating at home. We are not sure how much longer we can keep up on our bills and such, especially if our jobs crash.

It is pretty sad and I do not see any reason for it, especially fuel. We did not just all of a sudden start using more fuel. Then when the demand drops even a little they cut back production and the cost shoots for the stars. I think it is time the government steps in and does something.

Idaho Power seems to be capitalizing on the fuel shortage. Knowing people will be staying home more, so they have raised their prices to get their extra dollars.

I think now we have more of a war trying to survive in our own country then we do across seas.

Thanks for your time.

BRYCE.

We are frantically searching for some other way to heat our home. Our home was built in 1916 and there is no space for a furnace. We have never heated our 4 upstairs bedrooms, even the year we had 45 days in a row of below zero weather. We have no heat in our bedroom on the main level or in our bathroom. We heat by propane. We used to heat by coal but could not find replacement parts for our Stokermatic coal stove. We switched to propane. In January, it cost us $702 for a fill-up on our tank and, just last week, it cost us $847 for a fill-up because the price is going up. We are trying to find a way to get our old, old, wood-burning stove repaired so we can heat our kitchen by wood but have to do some serious thinking to find a way to get the heat into our dining room and living room so we only turn on the propane stove when we have to leave for a few days in the winter. We are making enough to get by but no more. My husband is 67 years old and retired, but still reads meters for Rocky Mountain Power three days a week so we can try and keep warm in the winter. Something needs to be done. We do not qualify for assistance because we make too much money. We had to buy a new car and are still paying house payments. We barley make ends meet. We do without a lot and we do spend our evenings, in the spring fall and winter, covered up in blankets because our house is cold. That is without heating the whole house, just the kitchen and dining room and living room and what little heat trickles into the bathroom.

GRANT and DIANE, *Liberty*.

As a native Idahoan I have always loved the rural, small-town lifestyle of living in the country, enjoying the beauty of the quite, still landscape and the aroma of pure, clean air. Yet the distance I have to travel in order to shop at the store, visit friends or family, or go to the doctor places me at a definite disadvantage to those who dwell in larger cities and more populated states when one considers the astronomical price of gasoline. Visiting family in distant cities has now become a greater challenge as we spend more and more of our family's single income to buy fuel for our car. As I reflect on alternate forms of transportation in my rural area, I find that I can either walk or ride a bike several miles to accomplish my daily tasks. I would not consider this a problem until I factor in my infant who accompanies me everywhere and the extreme temperatures we have in the Rocky Mountain States, which range below freezing in the winter to near 100 degrees in the summer.

Generally I do not believe in turning to the government to solve problems, but since Congress has helped create our current energy crisis and has put into place roadblocks that require citizens to address her for help, I am writing to urge the United States Senate to act. I believe that we can drill for oil in our own country safely and without endangering our environment while we explore other energy options. Someone once raised

the concern that logging endangered forests and the environment but we have found that simply removing access to certain areas has not solved the problem. Instead new problems have risen in the form of diseased trees and ruined forests. Similarly, removing access to areas that house oil reserves does not solve the problem. It only creates a much larger problem in the form of dependence on foreign oil. The reality is that our country cannot remain dependent on other countries. We need to drill domestically while exploring other forms of energy production. Hybrid cars, while presenting themselves as a wonderful alternative to gas only cars, would also create problems of electrical shortages if everyone drove them. Not to mention the fact that the vast majority of citizens cannot afford such expensive cars. We need to look at real solutions and not just more band aids and temporary fixes.

One Congressman stated that our country could conserve a large amount of energy if every individual would telecommute to work one day each week. While it is true that we could conserve much energy, I question how they plan for individuals who work in farming, retail, production, construction, and transportation trades to telecommute. Simply stated, not all individuals have jobs suited to telecommuting.

I hesitate to support the creation of an incentive program to reward those who conserve energy because it most likely would reward those who live in metropolitan areas who do not have to travel very far to work or shop and would punish those who live in spread out areas of the country where alternate forms of transportation (subway, light rail, buses, etc) do not exist. Of course, our Idaho farmers could cut back on crop growth in order to return to the use of horse and plow in order to receive conservation incentives, but then what would the urbanites eat?

KIMBERLEE, *Burley*.

ANWR must be opened to drilling. This $4+ gasoline is going to stop our already fragile economy in its tracks. It is bad enough now with gas prices this high, but add to that this winter the cost of natural gas doubling, and most families are going to have to decide—heat or eat.

We have enough energy in the ground in the United States to become nearly energy independent. Let us use it and in the mean time continue to develop alternative fuels and allow proven technologies such as nuclear to be built.

A majority of Americans support using our own supplies. Congress needs to get out of the way and open things up and make it easy for us to develop these resources. Stop being a hinderance.

MARK, *Boise*.

ADDITIONAL STATEMENTS

REMEMBERING WYMAN HICKS

• Mrs. BOXER. Mr. President, I wish to share with my colleagues the memory of a remarkable man, Mr. Wyman Hicks of Marin County. Mr. Hicks passed away on February 4, 2009, at the age of 90. Mr. Hicks was a passionate activist, educator, and inventor who contributed selflessly to the military, government, and his community.

Wyman Hicks was born in Oakland, CA, on June 25, 1918. A bright child whose family experienced the hardships of poverty, Mr. Hicks developed a strong sense of justice and community service early in life. While attending the University of California at Berkeley, Mr. Hicks spent his summers in Alaska helping laborers and workers form a union.

In 1938, Mr. Hicks traveled to Germany, where he helped German Jews find sponsors to help them escape to America. After receiving warnings from the U.S. consul that the Gestapo wanted to arrest him, Mr. Hicks returned to California to help farm workers in the Central Valley.

During the Second World War, Mr. Hicks enlisted in the Army. He became a captain in the Signal Corps serving in New Guinea and the Philippines, and worked to rebuild Japan after the war. Mr. Hicks returned to Berkeley on the GI bill, where he received his bachelor's and master's degrees in economics. Later, as the director of new product development at Crown Zellerbach, Mr. Hicks contributed to the development of the strap-handled shopping bag.

Wyman Hicks demonstrated a lifelong dedication to education, community governance, and civil rights. He served on the Sausalito City Council and the Bay Area Air Quality District Board, and was an active member of the American Civil Liberties Union and the Congress of Racial Equality. Mr. Hicks served as president of the Marin County Day School, and later became a professor in the management department of Sonoma State College. In 1987 he married Diana King.

From 1988 until 1991, Mr. Hicks was a member of my staff. His service to the U.S. Congress was invaluable, and for that I am grateful. Mr. Hicks was a generous man who dedicated his life to public service. He will be deeply missed.

Wyman is survived by his wife Diana King; his sons Kevin Hicks and Todd Hicks; his wife's sons Avi Rappoport and Richard Haven, and his five grandchildren.•

TRIBUTE TO DR. SAM HOLLAND

• Mr. JOHNSON. Mr. President, today I would like to recognize the career of a remarkable veterinary professional who has influenced livestock health in the State of South Dakota and across the Nation: South Dakota State veterinarian Dr. Sam Holland. Dr. Holland has earned the respect of his colleagues, farmers and ranchers, and Congressmen and Congresswomen and government officials on a national basis. His talent and commitment to his profession have not only influenced the physical health of our livestock herds but also improved the economic health and viability of agricultural communities across America.

As South Dakota State veterinarian since 1995 and most immediate past president of the National Assembly of State Animal Health Officials, Dr. Holland's guidance and extensive expertise have helped to effectively navigate livestock health concerns. As a practicing large-animal veterinarian for 15 years, he made monumental impacts to a sector of the animal health front that, now in the midst of shortages of veterinarians for underserved populations, especially has needed his contributions. Dr. Holland's involvement has shaped responses on a national basis to a number of livestock health issues, from developing a national model to respond to chronic wasting disease to a Veterinary Medical Reserve Corps for emergency situations. His expertise has also influenced discussions and action to diseases such as brucellosis, pseudorabies, and trichomoniasis, just to name a few.

Dr. Holland's involvement in South Dakota's State-based meat inspection program is arguably no small factor why this most recent Federal farm bill finally included language to allow for the transportation of State-inspected meat across State lines. And he has long adopted a commonsense approach to trade, to maintain and address the integrity of our livestock herd health before opening our borders to more food imports.

On the subject of trade, I am particularly grateful for the time and knowledge Dr. Holland dedicated to shaping the Foot and Mouth Disease Prevention Act to ensure this legislation was targeted and effective on the animal health front. I am confident that the successes we achieved on this measure as a team would have been impossible if not for his input and leadership.

I am very pleased to hear that Dr. Holland will continue to be involved with the South Dakota Medical Examining Board, through which he will maintain a presence on the South Dakota animal health front. Dr. Holland, thank you for everything you have done for the health of our livestock sector and agricultural communities in South Dakota and across the Nation. I wish you the very best in your retirement.•

150TH ANNIVERSARY OF VERMILLION, SOUTH DAKOTA

• Mr. THUNE. Mr. President, today I recognize Vermillion, SD. The city of Vermillion will commemorate the 150th anniversary of its founding this year.

Located in Clay County, Vermillion was founded in 1859 on the banks of the Vermillion River. Originally settled by French fur traders, Vermillion's name was translated from its native title Wase Wakpala, which means red stream. The city is home to the University of South Dakota, the State's oldest institution of higher education, which was founded in 1862. Since its establishment 150 years ago, the community of Vermillion has served as a strong example of South Dakota values and traditions and I am confident it will continue to prosper.

I would like to offer my congratulations to the citizens of Vermillion on this milestone anniversary and wish

them continued prosperity in the years to come.●

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED JOINT RESOLUTION SIGNED

Under the authority of the Senate of January 6, 2009, the Secretary of the Senate, on March 6, 2009, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled joint resolution:

H.J. Res. 38. An act making further continuing appropriations for fiscal year 2009, and for other purposes.

Under the authority of the Senate of January 6, 2009, the enrolled joint resolution was signed on March 6, 2009, during the adjournment of the Senate, by the President pro tempore (Mr. BYRD).

MESSAGE FROM THE HOUSE

At 2:11 p.m., a message from the House of Representatives, delivered by Mr. Zapata, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

(H.R. 1106. An act to prevent mortgage foreclosures and enhance mortgage credit availability.

The message also announced that pursuant to section 2 of the Migratory Bird Conservation Act (16 U.S.C. 715a) and the order of the House of January 6, 2009, the Speaker appoints the following Members of the House of Representatives to the Migratory Bird Conservation Commission: Mr. DINGELL of Michigan and Mr. WITTMAN of Virginia.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 542. A bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–911. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, the report of a violation of the Antideficiency Act that occurred within the U.S. Army Information Technology Agency, and has been assigned case number 08–01; to the Committee on Appropriations.

EC–912. A communication from the Assistant Secretary of Defense (Health Affairs), transmitting, pursuant to law, a report relative to the adverse health events of exposure to depleted uranium munitions; to the Committee on Armed Services.

EC–913. A communication from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a nomination, discontinuation of service in acting role, and action on a nomination in the position of Secretary, received in the Office of the President of the Senate on March 4, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–914. A communication from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting, pursuant to law, (11) reports relative to vacancy announcements and designated acting officer notifications within the Department, received in the Office of the President of the Senate on March 5, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–915. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Civil Money Penalties: Certain Prohibited Conduct; Technical Correction'' (RIN2501–AD23) received in the Office of the President of the Senate on March 5, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–916. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, a report relative to the disclosure of financial interest and recusal requirements; to the Committee on Commerce, Science, and Transportation.

EC–917. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to the increase of the maximum award ceiling for U.S. Department of Energy Biomass Technology Specific Super Energy Savings Performance Contracts; to the Committee on Energy and Natural Resources.

EC–918. A communication from the Acting Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to the status of all extensions granted by Congress regarding the requirements of Section 13 of the Federal Power Act; to the Committee on Energy and Natural Resources.

EC–919. A communication from the Chief Human Capital Officer, Corporation for National and Community Service, transmitting, pursuant to law, the report of a vacancy and designation of acting officer for the position of Chief Financial Officer, received in the Office of the President of the Senate on March 4, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC–920. A communication from the Acting Director, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Part 4022) received in the Office of the President of the Senate on March 5, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC–921. A communication from the Associate Legal Counsel, Equal Employment Opportunity Commission, transmitting, pursuant to law, the report of a vacancy for the position of General Counsel, received in the Office of the President of the Senate on March 5, 2009; to the Committee on Health, Education, Labor, and Pensions.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. FEINSTEIN, from the Select Committee on Intelligence:

Special Report entitled ''Report of the Select Select Committee on Intelligence for the 110th Congress'' (Rept. No. 111–6).

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. ENZI (for himself and Mr. BARRASSO):

S. 544. A bill for the relief of Ashley Ross Fuller; to the Committee on the Judiciary.

By Mr. KERRY (for himself, Mr. SPECTER, Mr. AKAKA, Ms. SNOWE, Mr. WHITEHOUSE, and Mr. CARPER):

S. 545. A bill to develop capacity and infrastructure for mentoring programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID:

S. 546. A bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service of Combat-Related Special Compensation; to the Committee on Armed Services.

By Mr. BINGAMAN (for himself, Mr. CASEY, Ms. STABENOW, and Mr. WHITEHOUSE):

S. 547. A bill to amend title XIX of the Social Security Act to reduce the costs of prescription drugs for enrollees of Medicaid managed care organizations by extending the discounts offered under fee-for-service Medicaid to such organizations; to the Committee on Finance.

By Mr. SCHUMER:

S. 548. A bill to amend the Public Utility Regulatory Policies Act of 1978 to establish a Federal energy efficiency resource standard for retail electricity and natural gas distributors, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BURRIS:

S. 549. A bill for the relief of Simeon Simeonov, Stela Simeonova, Stoyan Simeonov, and Vania Simeonova; to the Committee on the Judiciary.

By Mr. BURRIS:

S. 550. A bill for the relief of Francisca Lino; to the Committee on the Judiciary.

By Mr. LAUTENBERG (for himself, Ms. STABENOW, Mr. LEVIN, Ms. MIKULSKI, Mr. VITTER, and Mrs. MURRAY):

S. 551. A bill to amend the Internal Revenue Code of 1986 to exempt certain shipping from the harbor maintenance tax; to the Committee on Finance.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 552. A bill to amend the Food Security Act of 1985 to encourage owners and operators of privately held farm, ranch, and forest land to voluntarily make their land available for access by the public for maple-tapping activities under programs administered by States and tribal governments; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. KLOBUCHAR:

S. 553. A bill to revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota to include existing hiking trails along Lake Superior's north shore and in Superior National Forest and

Chippewa National Forest, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BROWN (for himself and Mrs. HUTCHISON):

S. 554. A bill to improve the safety of motorcoaches, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LAUTENBERG (for himself, Mr. LEVIN, Mr. HARKIN, Mr. KENNEDY, Mr. REED, Mr. COCHRAN, Ms. SNOWE, Mr. KERRY, and Mr. JOHNSON):

S. Res. 69. A resolution designating March 2009 as ''National Reading Month'' and authorizing the collection of nonmonetary book donations in Senate office buildings during the period beginning March 9, 2009 and ending March 27, 2009 from Senators and officers and employees of the Senate to assist elementary school students in the Washington, D.C. metropolitan area; considered and agreed to.

By Mr. DURBIN (for himself, Mr. VOINOVICH, and Mrs. FEINSTEIN):

S. Res. 70. A resolution congratulating the people of the Republic of Lithuania on the 1000th anniversary of Lithuania and celebrating the rich history of Lithuania; to the Committee on Foreign Relations.

By Mr. WYDEN (for himself, Mr. MENENDEZ, Mr. WHITEHOUSE, Ms. SNOWE, and Mr. BROWNBACK):

S. Res. 71. A resolution condemning the Government of Iran for its state-sponsored persecution of the Baha'i minority in Iran and its continued violation of the International Convenants on Human Rights; to the Committee on Foreign Relations.

By Ms. CANTWELL (for herself, Mrs. MURRAY, Mr. CHAMBLISS, Mr. ISAKSON, Mr. LUGAR, and Mr. DODD):

S. Con. Res. 10. A concurrent resolution congratulating the Sailors of the United States Submarine Force upon the completion of 1,000 Ohio-class ballistic missile submarine (SSBN) deterrent patrols; considered and agreed to.

ADDITIONAL COSPONSORS

S. 132

At the request of Mr. HATCH, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 132, a bill to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to expand and improve gang prevention programs, and for other purposes.

S. 277

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 277, a bill to amend the National and Community Service Act of 1990 to expand and improve opportunities for service, and for other purposes.

S. 307

At the request of Mr. WYDEN, the names of the Senator from Alaska (Mr. BEGICH) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 307, a bill to amend title XVIII of the Social Security Act to provide flexibility in the manner in which beds are counted for purposes of determining whether a hospital may be designated as a critical access hospital under the Medicare program and to exempt from the critical access hospital inpatient bed limitation the number of beds provided for certain veterans.

S. 388

At the request of Ms. MIKULSKI, the name of the Senator from Delaware (Mr. KAUFMAN) was added as a cosponsor of S. 388, a bill to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

S. 423

At the request of Mr. AKAKA, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Pennsylvania (Mr. SPECTER) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 423, a bill to amend title 38, United States Code, to authorize advance appropriations for certain medical care accounts of the Department of Veterans Affairs by providing two-fiscal year budget authority, and for other purposes.

S. 435

At the request of Mr. CASEY, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 435, a bill to provide for evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to help build individual, family, and community strength and resiliency to ensure that youth lead productive, safe, health, gang-free, and law-abiding lives.

S. 450

At the request of Mr. BAUCUS, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 450, a bill to understand and comprehensively address the oral health problems associated with methamphetamine use.

S. 462

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of 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.

S. 475

At the request of Mr. BURR, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of S. 475, a bill to amend the Servicemembers Civil Relief Act to guarantee the equity of spouses of military personnel with regard to matters of residency, and for other purposes.

S. 482

At the request of Mr. FEINGOLD, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 482, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 486

At the request of Mr. SANDERS, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 486, a bill to achieve access to comprehensive primary health care services for all Americans and to reform the organization of primary care delivery through an expansion of the Community Health Center and National Health Service Corps programs.

S. 487

At the request of Mr. HARKIN, the names of the Senator from Connecticut (Mr. DODD) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 487, a bill to amend the Public Health Service Act to provide for human embryonic stem cell research.

S. 527

At the request of Mr. THUNE, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 527, a bill to amend the Clean Air act to prohibit the issuance of permits under title V of that Act for certain emissions from agricultural production.

S. 542

At the request of Mr. DORGAN, his name was added as a cosponsor of S. 542, a bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress.

At the request of Mr. REID, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 542, supra.

S.J. RES. 7

At the request of Mr. FEINGOLD, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S.J. Res. 7, a joint resolution proposing an amendment to the Constitution of the United States relative to the election of Senators.

S. CON. RES. 4

At the request of Mr. NELSON of Florida, the names of the Senator from Missouri (Mr. BOND), the Senator from Indiana (Mr. LUGAR), the Senator from Idaho (Mr. RISCH), the Senator from Kansas (Mr. ROBERTS) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. Con. Res. 4, a concurrent resolution calling on the President and the allies of the United States to raise the case of Robert Levinson with officials of the Government of Iran at every level and opportunity, and urging officials of the Government of Iran to fulfill their promises of assistance to the family of Robert Levinson and to share information on the investigation into the disappearance of Robert Levinson with the Federal Bureau of Investigation.

S. RES. 20

At the request of Mr. VOINOVICH, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. Res. 20, a resolution celebrating the 60th anniversary of the North Atlantic Treaty Organization.

S. RES. 60

At the request of Mrs. SHAHEEN, the names of the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Maryland (Ms. MIKULSKI), the Senator from Indiana (Mr. BAYH) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. Res. 60, a resolution commemorating the 10-year anniversary of the accession of the Czech Republic, the Republic of Hungary, and the Republic of Poland as members of the North Atlantic Treaty Organization.

AMENDMENT NO. 593

At the request of Mr. MCCAIN, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of amendment No. 593 proposed to H.R. 1105, a bill making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID:

S. 546. A bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation; to the Committee on Armed Services.

Mr. REID. Mr. President, I take a great deal of pride in the work done by the 110th Congress to fulfill our Government's obligations to our Nation's veterans. Our legislative accomplishments in those 2 years were significant.

We significantly increased funding for the Department of Veterans Affairs; we enacted a comprehensive program that provides tuition and benefits to every veteran who serves after 9/11; we refused to allow our wounded warriors to fall through the cracks, remedying the substandard care that many were receiving, and broadening eligibility for treatment programs to address the war's physical and psychological toll; we brought attention and funding to veterans' mental health issues, improving the level of care and access to treatment for both veterans and their family members; and we added provisions to the Housing and Economic Recovery Act to help protect our veterans from becoming victims of the housing crisis.

Indeed, we can be proud of these accomplishments, but I rise today to bring to light one area in which Congress can and must do more. For eight years I have been working to eliminate an unconscionable policy under which a veteran who is classified as 'disabled' by the Veterans Administration is required, in essence, to pay his or her own disability compensation out of retirement pay received from the Department of Defense.

As it stands now, a disabled veteran is, by law, prevented from collecting both disability pay and retired pay. Despite the fact that a veteran is eligible for each for a different reason, the law prohibits receiving both. The end result of this prohibition known as ''Concurrent Receipt'' is that for every dollar a veteran receives as disability compensation, a dollar is deducted from his or her retirement pay. In some cases, this ban takes away a veteran's full retirement pay, wiping away the benefits he or she earned in 20 or more years of service.

Since 2000, I have been working to end this absurd policy. In 2003, Congress passed the first legislation in this vein, which allowed veterans with at least a 50 percent disability rating to become eligible for concurrent receipt of benefits over a 10-year phase-in period. The following year we successfully eliminated the ten year phase-in for those veterans with a 100 percent disability rating. In 2005, we passed legislation that permitted the concurrent receipt of retired and disability compensation to veterans who have been classified by the VA as ''unemployable,'' however this group of veterans has had to wait until this year to receive the benefit of this legislation. Our Nation's veterans should have to wait no longer.

It is past time to eliminate the remaining bar to concurrent receipt of disability compensation and military retirement pay. I am proud to introduce the Retired Pay Restoration Act of 2009.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 546

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 ''Retired Pay Restoration Act of 2009''.

SEC. 2. ELIGIBILITY FOR PAYMENT OF BOTH RETIRED PAY AND VETERANS' DISABILITY COMPENSATION FOR CERTAIN MILITARY RETIREES WITH COMPENSABLE SERVICE-CONNECTED DISABILITIES.

(a) EXTENSION OF CONCURRENT RECEIPT AUTHORITY TO RETIREES WITH SERVICE-CONNECTED DISABILITIES RATED LESS THAN 50 PERCENT.—

(1) REPEAL OF 50 PERCENT REQUIREMENT.—Section 1414 of title 10, United States Code, is amended by striking paragraph (2) of subsection (a).

(2) COMPUTATION.—Paragraph (1) of subsection (c) of such section is amended by adding at the end the following new subparagraph:

''(G) For a month for which the retiree receives veterans' disability compensation for a disability rated as 40 percent or less or has a service-connected disability rated as zero percent, $0.''.

(b) CLERICAL AMENDMENTS.—

(1) The heading of section 1414 of such title is amended to read as follows:

''§ 1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation''.

(2) The item relating to such section in the table of sections at the beginning of chapter 71 of such title is amended to read as follows:

''1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2009, and shall apply to payments for months beginning on or after that date.

SEC. 3. COORDINATION OF SERVICE ELIGIBILITY FOR COMBAT-RELATED SPECIAL COMPENSATION AND CONCURRENT RECEIPT.

(a) AMENDMENTS TO STANDARDIZE SIMILAR PROVISIONS.—

(1) QUALIFIED RETIREES.—Subsection (a) of section 1414 of title 10, United States Code, as amended by section 2(a), is amended—

(A) by striking ''a member or'' and all that follows through ''retiree')'' and inserting ''a qualified retiree''; and

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

''(2) QUALIFIED RETIREES.—For purposes of this section, a qualified retiree, with respect to any month, is a member or former member of the uniformed services who—

''(A) is entitled to retired pay (other by reason of section 12731b of this title); and

''(B) is also entitled for that month to veterans' disability compensation.''.

(2) DISABILITY RETIREES.—Paragraph (2) of subsection (b) of section 1414 of such title is amended to read as follows:

''(2) SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.—The retired pay of a qualified retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service is subject to reduction by the lesser of—

''(A) the amount of the reduction under sections 5304 and 5305 of title 38; or

''(B) the amount (if any) by which the amount of the member's retired pay under such chapter exceeds the amount equal to 2½ percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2009, and shall apply to payments for months beginning on or after that date.

By Mr. BINGAMAN (for himself, Mr. CASEY, Ms. STABENOW, and Mr. WHITEHOUSE):

S. 547. A bill to amend title XIX of the Social Security Act to reduce the costs of prescription drugs for enrollees of Medicaid managed care organizations by extending the discounts offered under fee-for-service Medicaid to such organizations; to the Commmittee on Finance.

Mr. BINGAMAN. Mr. President, I am introducing legislation today with Senators CASEY, STABENOW, and WHITEHOUSE entitled the Drug Rebate Equalization Act of 2009.

The Medicaid drug rebate ensures that State Medicaid programs receive

the best price for prescription drugs for their beneficiaries. Unfortunately, health plans that serve over 10 million Medicaid beneficiaries cannot access the same discounts through the federal drug rebate program. Plans typically get no rebate on generic drugs and about a third of the rebate on branded drugs that states receive. States are paying more for the acquisition of prescription drugs for these health plan enrollees than for beneficiaries in fee-for-service Medicaid, thereby raising costs for Federal and State governments. In fact, the December 2008 Congressional Budget Office Health Options report found that equalizing the drug rebate between Medicaid fee-for-service and managed care would save Federal taxpayers $11 billion over 10 years.

Even with this price disadvantage, the total cost of prescription drugs for health plans is less on a per member per month basis because of health plans' greater use of generics and case management. Unfortunately, many States are considering, or have already begun, carving out prescription drugs from health plans for the sole purpose of obtaining savings under the rebate—this undermines the plans' ability to maintain a comprehensive care and disease management program that includes prescription drugs. Not only will this legislation save money, it will eliminate this incentive and ensure that health plans can maintain a comprehensive care coordination system for their patients.

This present drug rebate policy was passed by the Senate in 2005 as part of the Deficit Reduction Act. This year's version of the bill improves on last year's bill in several important ways. First, it requires States—not health plans—to collect the rebate. To protect plans against inappropriate cuts in payment, it requires states to publicly disclose information about savings obtained under the legislation. Second, the bill will reiterate that nothing in the legislation prevents a State from maintaining oversight control of its contracts with the health plans. Finally, the bill maintains the fee-for-service prohibition against health plans ''double dipping'' into the Medicaid drug rebate and the 340b discount drug pricing program. These changes significantly improve the bill and will help improve its chances of passage.

Extending the Medicaid drug rebate to enrollees in health plans is supported widely and includes the National Governors Association, the National Association of State Medicaid Directors, the National Medicaid Commission, the National Association of Community Health Centers, the Partnership for Medicaid, the Association for Community Affiliated Plans, and the Medicaid Health Plans of America. Last week, President Obama highlighted changes in Medicaid prescription drug rebates in his fiscal year 2010 budget to help pay for an expansion of health coverage for more Americans. I welcome President Obama's support and look forward to working with him to make this policy a reality.

This legislation modernizes the Medicaid program, protects the ability of health plans to effectively coordinate prescription drugs as part of their care coordination systems, and will save Federal taxpayers $11 billion over 10 years.

I urge my colleagues to join me in supporting this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 547

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 ''Drug Rebate Equalization Act of 2009''.

SEC. 2. EXTENSION OF PRESCRIPTION DRUG DISCOUNTS TO ENROLLEES OF MEDICAID MANAGED CARE ORGANIZATIONS.

(a) IN GENERAL.—Section 1903(m)(2)(A) (42 U.S.C. 1396b(m)(2)(A)) is amended—

(1) in clause (xi), by striking ''and'' at the end;

(2) in clause (xii), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(xiii) such contract provides that (I) payment for covered outpatient drugs dispensed to individuals eligible for medical assistance who are enrolled with the entity shall be subject to the same rebate required by the agreement entered into under section 1927 as the State is subject to, and (II) capitation rates paid to the entity shall be based on actual cost experience related to rebates and subject to the Federal regulations requiring actuarially sound rates.''.

(b) CONFORMING AMENDMENTS.—Section 1927 (42 U.S.C. 1396r–8) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by adding at the end the following:

''(C) Notwithstanding the subparagraphs (A) and (B)—

''(i) a Medicaid managed care organization with a contract under section 1903(m) may exclude or otherwise restrict coverage of a covered outpatient drug on the basis of policies or practices of the organization, such as those affecting utilization management, formulary adherence, and cost sharing or dispute resolution, in lieu of any State policies or practices relating to the exclusion or restriction of coverage of such drugs, provided, however, that any such exclusions and restrictions of coverage shall be subject to any contractual requirements and oversight by the State as contained in the Medicaid managed care organization's contract with the State, and the State shall maintain approval authority over the formulary used by the Medicaid managed care organization; and

''(ii) nothing in this section or paragraph (2)(A)(xiii) of section 1903(m) shall be construed as requiring a Medicaid managed care organization with a contract under such section to maintain the same such policies and practices as those established by the State for purposes of individuals who receive medical assistance for covered outpatient drugs on a fee-for service basis.''; and

(B) in paragraph (4), by inserting after subparagraph (E) the following:

''(F) Notwithstanding the preceding subparagraphs of this paragraph, any formulary established by Medicaid managed care organization with a contract under section 1903(m) may be based on positive inclusion of drugs selected by a formulary committee consisting of physicians, pharmacists, and other individuals with appropriate clinical experience as long as drugs excluded from the formulary are available through prior authorization, as described in paragraph (5).''; and

(2) in subsection (j), by striking paragraph (1) and inserting the following:

''(1) Covered outpatients drugs are not subject to the requirements of this section if such drugs are—

''(A) dispensed by health maintenance organizations, including Medicaid managed care organizations that contract under section 1903(m); and

''(B) subject to discounts under section 340B of the Public Health Service Act.''.

(c) REPORTS.—Each State with a contract with a Medicaid managed care organization under section 1903(m) of the Social Security Act (42 U.S.C. 1396b(m)) shall report to the Secretary on a quarterly basis the total amount of rebates in dollars and volume received from manufacturers (as defined in section 1927(k)(5) of such Act (42 U.S.C. 1396r–8(k)(5)) for drugs provided to individuals enrolled with such an organization as a result of the amendments made by this section for both brand-name and generic drugs. The Secretary shall review the reports submitted by States under this subsection and, after such review, make publically available the aggregate data contained in such reports.

(d) EFFECTIVE DATE.—This section and the amendments made by this section take effect on the date of enactment of this Act and apply to rebate agreements entered into or renewed under section 1927 of the Social Security Act (42 U.S.C. 1396r–8) on or after such date.

By Mr. BROWN (for himself and Mrs. HUTCHISON):

S. 554. A bill to improve the safety of motorcoaches, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. BROWN. Mr. President, last week was the two year anniversary of a horrific motorcoach crash involving the Bluffton University baseball team. Seven Ohioans—Tyler Williams, Cody Holp, Scott Harmon, Zack Arend, David Joseph Betts, and Jerome and Jean Niemeyer—lost their lives that day.

As their bus rolled along Interstate-75 on March 2, 2007, the Bluffton players and coaches were hours away from beginning their spring break in Florida. But as the team slept in preparation for their season opener later in the week, their motorcoach crashed through a retaining wall and fell thirty feet to the highway below.

Since then I have talked with family members of the players on the bus that day and other passenger safety advocates, and time and again the conversations came back to one thing: we need commonsense motorcoach safety measures that will protect both passengers and other motorists on the road.

In the 110th Congress, Senator HUTCHISON and I introduced the Motorcoach Enhanced Safety Act to finally require basic safety devices like seat belts and stronger windows on motorcoaches.

Bus trips should not turn into tragedies, and that is why today we are again introducing the Motorcoach Enhanced Safety Act of 2009. We need these new standards now to ensure the safety of every rider and driver on the road.

In 2007, the American Bus Association reported that over 750 million passenger trips covering more than 60 billion miles were made by motorcoaches in the United States.

More and more people are choosing buses for their transportation, and it seems every week you read about another serious motorcoach accident . . . the crash involving a minor-league hockey team from Albany, New York; the fatal motorcoach accidents in Texas; the tour bus crash in Arizona that killed 7 passengers. The number of serious accidents and tragic deaths will only grow if we do not take action.

Our legislation directs the Secretary of the Department of Transportation to implement numerous safety regulations already recommended by the National Transportation Safety Board. Incredibly, many of these recommendations—including seatbelts, fire extinguishers, increased driver training, and stronger windows—have languished for years.

Our bill places firm timelines on the development and implementation of these rules and does so in a manner consistent with the recommendations of the National Transportation Safety Board—the guardian of our Nation's travel safety.

This includes safety belts and stronger seating systems to ensure occupants stay in their seats in a crash.

Stronger and better glazing on windows to prevent passengers from being easily ejected out of the motorcoach, crush-resistant roofs that can better withstand rollovers, improved protection against fires by reducing flammability of the motorcoach interior, and better training for operators in the case of fire.

John Betts' son David was a second baseman on the Bluffton baseball team and was on the bus when it crashed in Atlanta 2 years ago. Mr. Betts lost his son in that tragic accident, but has since been a tireless advocate for motorcoach safety reform.

In testimony before the Senate Commerce Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security, Mr. Betts said:

> Motorcoach transportation may be one of the safest modes when you look at statistics of lives lost per miles traveled compared to other modes of transportation. However, as family members here today representing those who had a loved one die in such a crash, our first response is that such statistics are not comforting. As a father, am I to disregard David's death as his being one of the unlucky few? As NTSB recommendations languish here in the United States, Europe and Australia have already required basic occupant safety protection measures such as seat belts.

Mr. Betts eloquent words challenge Congress to take action so that other Americans do not tragically, needlessly, lose their lives, and it is my hope that we will swiftly pass this long overdue bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 69—DESIGNATING MARCH 2009 AS ''NATIONAL READING MONTH'' AND AUTHORIZING THE COLLECTION OF NONMONETARY BOOK DONATIONS IN SENATE OFFICE BUILDINGS DURING THE PERIOD BEGINNING MARCH 9, 2009 AND ENDING MARCH 27, 2009 FROM SENATORS AND OFFICERS AND EMPLOYEES OF THE SENATE TO ASSIST ELEMENTARY SCHOOL STUDENTS IN THE WASHINGTON, D.C. METROPOLITAN AREA

Mr. LAUTENBERG (for himself, Mr. LEVIN, Mr. HARKIN, Mr. KENNEDY, Mr. REED, Mr. COCHRAN, Ms. SNOWE, Mr. KERRY, and Mr. JOHNSON) submitted the following resolution; which was considered and agreed to:

S. RES. 69

Whereas literacy is a learned skill that is improved through practice and regular reading;

Whereas public and school libraries play an important role in helping children learn to read and gain critical information literacy skills by providing easy and free access to books and other information on a wide range of topics;

Whereas the reading of books with children improves children's language, cognitive, and literacy skills;

Whereas research demonstrates that reading aloud with children is the single most important activity for helping them become successful readers;

Whereas quality children's books and the continued efforts of educators, parents, and volunteer reading partners can instill a love of reading that will last a lifetime;

Whereas school reading programs provide students with a chance to improve their reading skills and take pleasure in stories;

Whereas such programs have a profound and lasting positive impact on a child's life through improved reading comprehension, motivation, and achievement, as well as improved overall academic performance, classroom behavior, self-confidence, and social skills; and

Whereas all people of the United States can help celebrate the importance of reading by donating children's books, volunteering to read to and mentor young students, and supporting public policies aimed at improving literacy rates: Now, therefore, be it

Resolved, Notwithstanding any other rules and regulations of the Senate—

(1) the Senate designates March 2009 as ''National Reading Month'';

(2) a Senator or officer or employee of the Senate may solicit another Senator or officer or employee of the Senate within Senate buildings for nonmonetary book donations during the period beginning March 9, 2009 and ending March 27, 2009 to assist elementary school students in the Washington, D.C. metropolitan area, if such solicitation does not otherwise violate any rule or regulation of the Senate or any Federal law; and

(3) a Senator or officer or employee of the Senate may work with a nonprofit organization with respect to the delivery of donations described in paragraph (2).

SENATE RESOLUTION 70—CONGRATULATING THE PEOPLE OF THE REPUBLIC OF LITHUANIA ON THE 1000TH ANNIVERSARY OF LITHUANIA AND CELEBRATING THE RICH HISTORY OF LITHUANIA

Mr. DURBIN (for himself, Mr. VOINOVICH, and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 70

Whereas the name ''Lithuania'' first appeared in European records in the year 1009, when it was mentioned in the German manuscript ''Annals of Quedlinburg'';

Whereas Duke Mindaugas united various Baltic tribes and established the state of Lithuania during the period between 1236 and 1263;

Whereas, by the end of the 14th century, Lithuania was the largest country in Europe, encompassing territory from the Baltic Sea to the Black Sea;

Whereas Vilnius University was founded in 1579 and remained the easternmost university in Europe for 200 years;

Whereas the February 16, 1918, Act of Independence of Lithuania led to the establishment of Lithuania as a sovereign and democratic state;

Whereas, under the cover of the Molotov-Ribbentrop Pact, on June 17, 1940, Latvia, Estonia and Lithuania were forcibly incorporated into the Soviet Union in violation of pre-existing peace treaties;

Whereas, during 50 years of Soviet occupation of the Baltic states, Congress strongly, consistently, and on a bipartisan basis refused to legally recognize the incorporation of Latvia, Estonia, and Lithuania by the Soviet Union;

Whereas, on March 11, 1990, the Republic of Lithuania was restored and Lithuania became the first Soviet republic to declare independence;

Whereas on September 2, 1991, the United States Government formally recognized Lithuania as an independent and sovereign nation;

Whereas Lithuania has successfully developed into a free and democratic country, with a free market economy and respect for the rule of law;

Whereas Lithuania is a full and responsible member of the United Nations, the Organization for Security and Cooperation in Europe, the European Union, and the North Atlantic Treaty Organization;

Whereas, in 2007, the United States Government and the Government of Lithuania celebrated 85 years of continuous diplomatic relations;

Whereas the United States Government welcomes and appreciates efforts by the Government of Lithuania to maintain international peace and stability in Europe and around the world by contributing to international civilian and military operations in Afghanistan, Iraq, Bosnia, Kosovo, and Georgia; and

Whereas Lithuania is a strong and loyal ally of the United States, and the people of Lithuania share common values with the people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the people of the Republic of Lithuania on the occasion of the 1000th anniversary of Lithuania;

(2) commends the Government of Lithuania for its success in implementing political and economic reforms, for establishing political, religious and economic freedom,

and for its commitment to human rights; and

(3) recognizes the close and enduring relationship between the United States Government and the Government of Lithuania.

SENATE RESOLUTION 71—CONDEMNING THE GOVERNMENT OF IRAN FOR ITS STATE-SPONSORED PERSECUTION OF THE BAHA'I MINORITY IN IRAN AND ITS CONTINUED VIOLATION OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS

Mr. WYDEN (for himself, Mr. MENENDEZ, Mr. WHITEHOUSE, Ms. SNOWE, and Mr. BROWNBACK) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 71

Whereas, in 1982, 1984, 1988, 1990, 1992, 1994, 1996, 2000, 2006, and 2008, Congress declared that it deplored the religious persecution by the Government of Iran of the Baha'i community and would hold the Government of Iran responsible for upholding the rights of all Iranian nationals, including members of the Baha'i faith;

Whereas, in November 2007, the Iranian Ministry of Information in Shiraz jailed Baha'is Ms. Raha Sabet, age 33, Mr. Sasan Taqva, age 32, and Ms. Haleh Roohi, age 29, for educating underprivileged children and gave them 4-year prison terms, which they are serving;

Whereas Ms. Sabet, Mr. Taqva, and Ms. Rooshi were targeted solely on the basis of their religion;

Whereas, on January 23, 2008, the Department of State released a statement urging the Government of Iran to release all individuals held without due process and a fair trial, including the 3 young Baha'is being held in an Iranian Ministry of Intelligence detention center in Shiraz;

Whereas, in March and May of 2008, Iranian intelligence officials in Mashhad and Tehran arrested and imprisoned Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, and Mr. Vahid Tizfahm, the members of the coordinating group for the Baha'i community in Iran;

Whereas, on February 11, 2009, the deputy prosecutor in Tehran, Mr. Hassan Haddad, announced that those seven leaders will go on trial at a Revolutionary Court on charges of ''espionage for Israel, insulting religious sanctities and propaganda against the Islamic Republic'';

Whereas the lawyer for these seven leaders, Mrs. Shirin Ebadi, the Nobel Laureate, has been denied all access to the prisoners and their files;

Whereas these seven Baha'i leaders were targeted solely on the basis of their religion; and

Whereas the Government of Iran is party to the International Covenants on Human Rights: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the Government of Iran for its state-sponsored persecution of the Baha'i minority in Iran and its continued violation of the International Covenants on Human Rights;

(2) calls on the Government of Iran to immediately release the seven leaders and all other prisoners held solely on account of their religion, including Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, Mr. Vahid Tizfahm, Ms. Raha Sabet, Mr. Sasan Taqva, and Ms. Haleh Roohi; and

(3) calls on the President and Secretary of State, in cooperation with the international community, to immediately condemn the Government of Iran's continued violation of human rights and demand the immediate release of prisoners held solely on account of their religion, including Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, Mr. Vahid Tizfahm, Ms. Raha Sabet, Mr. Sasan Taqva, and Ms. Haleh Roohi.

Mr. WYDEN. Mr. President, I rise today to speak in support of a resolution that I am offering with my colleagues, Senators BROWNBACK, MENENDEZ, SNOWE, and WHITEHOUSE. This resolution condemns the Iranian government's persecution of its own Baha'i community and urges the Obama administration to speak out strongly against this continued injustice.

The Baha'i Faith, the world's youngest independent monotheistic religion, was founded in Iran in 1844. Today, it is practiced by more than 5 million people across the planet, from Bangalore, India to Beaverton, Oregon. Roughly 300,000 of these adherents still live in Iran. Although Baha'i teachings emphasize equality, unity, and peace, Iranian authorities have viewed the religion as an apostasy and have treated it as a threat since the beginning.

The current Islamic Republic has been particularly hostile to Baha'i practitioners since its establishment in 1979. In 1983, Iran's government formally banned all Baha'i religious institutions and criminalized membership in them and service to them. The regime has officially recognized Christians, Jews, and Zoroastrians as religious minorities. It refuses to extend this same status to the Baha'is, even though they make up Iran's largest religious minority. According to the State Department's 2008 International Religious Freedom Report, the regime continues to create ''a threatening atmosphere for nearly all non-Shi'a religious groups, most notably for Baha'is.'' The government routinely seizes personal property from members of the Baha'i community, denies access to education and employment opportunities, and detains Baha'is based solely on their religious beliefs.

Last year, the Iranian regime imprisoned seven leaders of the Baha'i community. In February 2009, Tehran's deputy prosecutor announced that these seven leaders would be tried on charges of ''espionage for Israel, insulting religious sanctities, and propaganda against the Islamic Republic.'' Not surprisingly, the regime provided no evidence to support these preposterous accusations and has refused to allow a lawyer for the seven to even meet with them. These actions are clear and unambiguous violations of Iran's international commitments under the International Covenant on Civil and Political Rights. Some in the international community have already condemned this mockery of justice, and rightly so. My colleagues and I believe the time has now come to add the United States Senate to this growing chorus of voices.

Our resolution is simple and straightforward. It denounces the Iranian government's persecution of the Baha'is and calls on the regime to immediately release all prisoners held for their religious beliefs, including the seven Baha'i leaders. It further calls on President Barack Obama and Secretary of State Hillary Clinton to work with the international community in condemning the Iranian regime for its repeated human rights violations.

I hope that colleagues will join me and Senators BROWNBACK, MENENDEZ, SNOWE, and WHITEHOUSE in supporting this commonsense resolution.

SENATE CONCURRENT RESOLUTION 10—CONGRATULATING THE SAILORS OF THE UNITED STATES SUBMARINE FORCE UPON THE COMPLETION OF 1,000 OHIO-CLASS BALLISTIC MISSILE SUBMARINE (SSBN) DETERRENT PATROLS

Ms. CANTWELL (for herself, Mrs. MURRAY, Mr. CHAMBLISS, Mr. ISAKSON, Mr. LUGAR, and Mr. DODD) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 10

Whereas the Sailors of the United States Submarine Force recently completed the 1,000th deterrent patrol of the Ohio-class ballistic missile submarine (SSBN);

Whereas this milestone is significant for the Submarine Force, its crews and their families, the United States Navy, and the entire country;

Whereas this milestone was reached through the combined efforts and impressive achievements of all of the submariners who have participated in such patrols since the first patrol of USS Ohio (SSBN 726) in 1982;

Whereas, as a result of the dedication and commitment to excellence of the Sailors of the United States Submarine Force, ballistic missile submarines have always been ready and vigilant, reassuring United States allies and deterring anyone who might seek to do harm to the United States or United States allies;

Whereas the national maritime strategy of the United States recognizes the critical need for strategic deterrence in today's uncertain world;

Whereas the true strength of the ballistic missile submarine lies in the extremely talented and motivated Sailors who have voluntarily chosen to serve in the submarine community; and

Whereas the inherent stealth, unparalleled firepower, and nearly limitless endurance of the ballistic missile submarine provide a credible deterrence for any enemies that would seek to use force against the United States or United States allies: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) congratulates the Sailors of the United States Submarine Force upon the completion of 1,000 Ohio-class ballistic missile submarine (SSBN) deterrent patrols; and

(2) honors and thanks the crews of ballistic missile submarines and their devoted families for their continued dedication and sacrifice.

AMENDMENTS SUBMITTED AND PROPOSED

SA 674. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 674. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I of division F, insert the following:

SEC. ____. No funds made available under this Act shall be used to implement the Executive Order dated January 30, 2009, entitled ''Notification of Employee Rights Under Federal Labor Laws'' to the extent that the implementation of such order is in conflict with Executive Order 13201, dated February 17, 2001.

NOTICE OF HEARING

COMMITTEE ON RULES AND ADMINISTRATION

Mr. SCHUMER. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, March 11, 2009, at 10:00 a.m. to receive testimony on ''Voter Registration: Assessing Current Problems.''

Individuals and organizations that wish to submit a statement for the hearing record are requested to contact the Chief Clerk, Lynden Armstrong, at 202–224–6352.

For further information regarding this hearing, please contact Jean Bordewich at the Rules and Administration Committee 202–224–6352.

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 a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, March 12, 2009, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to consider the nomination of David Hayes to be Deputy Secretary of the Interior.

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 Amanda_kelly@energy.senate.gov.

For further information, please contact Sam Fowler at (202) 224–7571 or Amanda Kelly at (202) 224–6836.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Monday, March 9, 2009, at 5 p.m., in room 215 of the Dirksen Senate Office Building.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID. 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 ''Preventing Worker Exploitation: Protecting Individuals with Disabilities and Other Vulnerable Problems'' on Monday, March 9, 2009. The hearing will commence at 2:30 p.m. in room 430 of the Dirksen Senate Office Building.

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

PRIVILEGES OF THE FLOOR

Mrs. FEINSTEIN. Mr. President, I wish to make a request for the distinguished Senator of Connecticut and ask unanimous consent that Ellen Cohen, a fellow on the staff of Senator LIEBERMAN, be granted floor privileges for the duration of this debate.

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

Mr. LIEBERMAN. Madam President, I ask unanimous consent that Gustavo Delgado, Jr., be granted the privilege of the floor for the remainder of the consideration of the omnibus bill. Mr. Delgado is a member of my staff.

The PRESIDING OFFICER. Without objection it is so ordered.

RAISING THE CASE OF ROBERT LEVINSON

Mr. DURBIN. I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Con. Res. 4 and the Senate proceed to its immediate consideration.

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

The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 4) calling on the President and the allies of the United States to raise the case of Robert Levinson with officials of the Government of Iran at every level and opportunity, and urging officials of the Government of Iran to fulfill their promises of assistance to the family of Robert Levinson and to share information on the investigation into the disappearance of Robert Levinson with the Federal Bureau of Investigation.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. NELSON of Florida. Mr. President, exactly two years ago today, Bob Levinson went missing while on a business trip to Kish Island, Iran. Bob Levinson checked out of his hotel on March 9, 2007, and got in a taxi cab to head to the airport.

But he never checked in for his flight. The authorities in Dubai and surrounding countries have verified that Mr. Levinson never arrived on any flight from Iran or passed through passport control.

I would like to recognize that Bob Levinson's wife Christine Levinson is in the Senate today with her sister Suzi Halpin.

Many of my fellow Senators and their staffs have met with Christine and cosponsored the resolution we are aiming to pass today. She is a tireless advocate of her husband's case and I thank her and her sister for coming to Washington on this sad, but important day.

So what happened to Bob Levinson? We still do not know, although a man named David Belfield, an American fugitive from justice residing in Iran, and one of the last people to see Bob Levinson on Kish Island before his disappearance, has claimed that the Government of Iran imprisoned Mr. Levinson.

Mr. Belfield himself was detained by Iranian security services after meeting Bob Levinson at the hotel on March 8, 2007, the night before Mr. Levinson vanished.

The Iranians claim they do not know what happened to Bob Levinson, but I believe they are not being completely forthcoming. They promised in December 2007 that they would share the results of their investigation into Bob Levinson's case with his family. President Ahmadinejad stated in July 2008 that Iranian authorities would cooperate with the FBI. We are still waiting for the promised assistance.

Meanwhile, Christine and the rest of the Levinson family pray every day for Bob's return. The past 2 years have been incredibly hard on the family.

In the intervening time, Bob Levinson has missed graduations and report cards and sports events. He has missed the first steps of his grandson Ryan, and the birth of his granddaughter Grace Olivia.

I want to recognize the great personal courage Christine has shown in travelling to Iran in December 2007 to seek answers from the Iranians on what happened to her husband.

She has steadfastly pursued this case for 2 years now, giving press interviews to publicize Bob's plight and seek leads on the case, engaging the Iranian Mission to the U.N., talking to Swiss diplomats, speaking at rallies, making trips to Washington to meet with Members of Congress and officials at the White House, the State Department and the FBI.

At the same time, she also had to juggle all her other duties as a mother of seven and grandmother of two. I do

want to salute Mrs. Levinson, as well as her family and friends who have supported her during these trying times.

So what is the next step? What can we do now?

President Obama has called for a renewed diplomatic effort on Iran. Our new U.N. Ambassador Susan Rice has stated that the new administration will engage in ''direct diplomacy'' with the Iranians. Secretary Clinton said Tehran would be invited to an Afghanistan neighbors conference in the Netherlands at the end of the month.

We obviously have serious disagreements with Tehran on a number of issues, including its nuclear program, its despicable policy towards Israel, and its support for the terrorist groups Hamas and Hezbollah.

But the U.S. and Iran have common interests as well. Peace in Iraq, as well as in Afghanistan, is in the interests of both Tehran and Washington. We can jointly confront the scourge caused by the narcotics drug trade.

Cooperation on the case of Bob Levinson a humanitarian issue in my mind—must be a top issue if any future improvement in relations is to occur. It is but one small step we can take toward working together on this range of issues of mutual concern.

During her confirmation hearing in January, I asked Secretary of State Hillary Clinton about Bob Levinson's case. She stated that ''it would be an extraordinary opportunity for the government of Iran to make such a gesture to permit contact, to release him, to make it clear that there is a new attitude in Iran, as we believe there will be with the Obama administration toward engagement, carefully constructed, and with very clear outcomes attempted.''

We do not have direct diplomatic relations with Iran and our relations with Iran are difficult, to say the least. But I again call on the government of Iran to work with the U.S. and our allies to ensure Bob Levinson's return to this country and allow the Levinsons to return to a normal life.

Those points are included in S. Con. Res. 4 which I introduced on February 3. I hope that we will be able to pass this resolution by this evening. I want to thank Senator VOINOVICH, as well as 16 other Senators, for joining me as cosponsors of this resolution.

We cannot and we will not forget Bob Levinson or his family.

Mr. DURBIN. I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the measure be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 4) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 4

Whereas United States citizen Robert Levinson is a retired agent of the Federal Bureau of Investigation, a resident of Florida, the husband of Christine Levinson, and father of their 7 children;

Whereas Robert Levinson traveled from Dubai to Kish Island, Iran, on March 8, 2007;

Whereas, after traveling to Kish Island and checking into the Hotel Maryam, he disappeared on March 9, 2007;

Whereas neither his family nor the United States Government has received further information on his fate or whereabouts;

Whereas March 9, 2009, marks the second anniversary of the disappearance of Robert Levinson;

Whereas the Government of Switzerland, which has served as Protecting Power for the United States in the Islamic Republic of Iran in the absence of diplomatic relations between the United States Government and the Government of Iran since 1980, has continuously pressed the Government of Iran on the case of Robert Levinson and lent vital assistance and support to the Levinson family during their December 2007 visit to Iran;

Whereas officials of the Government of Iran promised their continued assistance to the relatives of Robert Levinson during the visit of the family to the Islamic Republic of Iran in December 2007; and

Whereas the President of the Islamic Republic of Iran, Mahmoud Ahmadinejad, stated during an interview with NBC News broadcast on July 28, 2008, that officials of the Government of Iran were willing to cooperate with the Federal Bureau of Investigation in the search for Robert Levinson: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) commends the Embassy of Switzerland in Tehran and the Government of Switzerland for the ongoing assistance to the United States Government and to the family of Robert Levinson, particularly during the visit by Christine Levinson and other relatives to Iran in December 2007;

(2) expresses appreciation for efforts by Iranian officials to ensure the safety of the family of Robert Levinson during their December 2007 visit to Iran, as well as for the promise of continued assistance;

(3) urges the Government of Iran, as a humanitarian gesture, to intensify its cooperation on the case of Robert Levinson with the Embassy of Switzerland in Tehran and to share the results of its investigation into the disappearance of Robert Levinson with the Federal Bureau of Investigation;

(4) urges the President and the allies of the United States to engage with officials of the Government of Iran to raise the case of Robert Levinson at every opportunity, notwithstanding other serious disagreements the United States Government has had with the Government of Iran on a broad array of issues, including human rights, the nuclear program of Iran, the Middle East peace process, regional stability, and international terrorism; and

(5) expresses sympathy to the family of Robert Levinson during this trying period.

CONGRATULATING SAILORS OF THE U.S. SUBMARINE FORCE

Mr. DURBIN. I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 10 submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 10) congratulating the Sailors of the United States Submarine Force upon the completion of 1,000 Ohio-class ballistic missile submarine (SSBN) deterrent patrols.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. DODD. Mr. President, it is with great pleasure that I cosponsor this concurrent resolution with the Senator from Washington to congratulate the sailors of the United States submarine force upon their completion of 1,000 Ohio-class ballistic missile submarine deterrent patrols. Ballistic missile submarines serve as our Nation's primary and most secure nuclear deterrent. This milestone is a testament to the hard work and dedication of the sailors who provide our security against the rising threats that are permeating the globe. I stand here today to urge my colleagues to join me in supporting this concurrent resolution in honor of all those who made this milestone possible.

The strategic deterrence capability provided by the Ohio class remains as critical to our national security today as it did when we commissioned the first Ohio-class submarine in 1981. As result of the rapid advancements in the information and technology industries, our adversaries across the globe are developing weaponry at a much faster rate than they were two decades ago. Because of this, we must always be prepared for the next generation of threats. No other weapon can provide deterrence against these threats like the ballistic missile submarine. It is imperative that we continue to fund the research and development to maintain this fleet, thereby ensuring the future of ballistic missile submarines in our naval force. I, along with many of my colleagues, am committed to improving and embracing new technologies that will allow us to maintain and operate the finest submarine force in the world.

The successful completion of 1,000 patrols is a testament to the achievements and hard work of the sailors who support and operate this incredible fleet of submarines. At the same time, we realize that this security is not provided without cost and sacrifice. Thousands of submariners in our Navy spend months and possibly years of their lives underneath the sea to ensure our safety and our freedom. Additionally, we must remember the countless hours spent by Connecticut laborers to design and construct the Trident submarines, also made possible by vendor support from all around the country. It is extremely important that we take the time to thank those service members and those American workers for their sacrifice and their service to our great Nation.

Again, my sincerest congratulations go to all the sailors who made the successful completion of 1,000 deterrent patrols possible. I hope that my colleagues will join me in supporting this resolution in their honor.

Mr. DURBIN. I ask unanimous consent that the resolution be agreed to,

the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the measure be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 10) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 10

Whereas the Sailors of the United States Submarine Force recently completed the 1,000th deterrent patrol of the Ohio-class ballistic missile submarine (SSBN);

Whereas this milestone is significant for the Submarine Force, its crews and their families, the United States Navy, and the entire country;

Whereas this milestone was reached through the combined efforts and impressive achievements of all of the submariners who have participated in such patrols since the first patrol of USS Ohio (SSBN 726) in 1982;

Whereas, as a result of the dedication and commitment to excellence of the Sailors of the United States Submarine Force, ballistic missile submarines have always been ready and vigilant, reassuring United States allies and deterring anyone who might seek to do harm to the United States or United States allies;

Whereas the national maritime strategy of the United States recognizes the critical need for strategic deterrence in today's uncertain world;

Whereas the true strength of the ballistic missile submarine lies in the extremely talented and motivated Sailors who have voluntarily chosen to serve in the submarine community; and

Whereas the inherent stealth, unparalleled firepower, and nearly limitless endurance of the ballistic missile submarine provide a credible deterrence for any enemies that would seek to use force against the United States or United States allies: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) congratulates the Sailors of the United States Submarine Force upon the completion of 1,000 Ohio-class ballistic missile submarine (SSBN) deterrent patrols; and

(2) honors and thanks the crews of ballistic missile submarines and their devoted families for their continued dedication and sacrifice.

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the Majority Leader, pursuant to the provisions of S. Res. 105, opted April 13, 1989, as amended by S. Res. 149 adopted October 5, 1993, as amended by Public Law 105–275, adopted October 21, 1998, further amended by S. Res. 75, adopted March 25, 1999, amended by S. Res. 383, adopted October 27, 2000, and amended by S. Res. 355, adopted November 13, 2002, and further amended by S. Res. 480, adopted November 21, 2004, the appointment of the following Senators as members of the Senate National Security Working Group for the 111th Congress: The Senator from Michigan, Mr. LEVIN, as Democratic Co-Chairman; the Senator from Massachusetts, Mr. KERRY, as Democratic Co-Chairman; the Senator from New Jersey, Mr. LAUTENBERG, as Democratic Co-Chairman; the Senator from North Dakota, Mr. DORGAN; the Senator from Illinois, Mr. DURBIN; the Senator from Maryland, Mr. CARDIN; and the Senator from West Virginia, Mr. BYRD, as Majority Administrative Co-Chairman.

ORDERS FOR TUESDAY, MARCH 10, 2009

Mr. DURBIN. I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Tuesday, March 10; 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 H.R. 1105, the Omnibus appropriations bill, as provided under the previous order; further, that the Senate recess from 12:30 to 2:15 p.m. for the weekly part conference luncheons.

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

PROGRAM

Mr. DURBIN. We expect to be in a series of votes tomorrow afternoon in relation to the remaining pending amendments to the omnibus bill, in addition to a vote on cloture on the bill and, hopefully, a vote on passage of the legislation.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DURBIN. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:20 p.m., adjourned until Tuesday, March 10, 2009, at 10 a.m.

EXTENSIONS OF REMARKS

HONORING DOUG WARNER

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mrs. BLACKBURN. Madam Speaker, it is a privilege to rise today to honor and recognize an outstanding citizen of Germantown, Tennessee, Mr. Doug Warner.

For the past 22 years, Doug has volunteered for the Mountain Tennessee Outreach Project (T.O.P) which attends to the spiritual, physical, emotional or social needs of rural Tennessee residents. Doug has led more than 50 trips to the counties in Tennessee this organization aids and brought much comfort to those families in distress. Doug has also been there in times of tragedy by collecting and distributing supplies to aid in the recovery efforts after natural disasters such as the Ivan, Katrina and Rita hurricanes.

Besides his work with Mountain T.O.P., Doug has organized numerous other volunteer projects in order to help the lives of his fellow citizens and make his community better. Through his service on the Habitat for Humanity Board, Doug has sponsored and built more than 29 Habitat houses as well as collecting donated furniture and accessories to help these families to a new beginning. Doug and his family continue to be an active part of the Germantown United Methodist Church.

Through this service and countless other accomplishments, the quality of life of many Tennesseans has been greatly improved because of Doug's leadership, experience and willingness to give. Congratulations to Mr. Doug Warner on being named Citizen of the Year 2008 by the Germantown, Tennessee Lions Club.

MARY KELLIGREW KASSLER: 25 YEARS OF HER BEST

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. FRANK of Massachusetts. Madam Speaker, after 25 years of extraordinary service in the WIC Program, Mary Kelligrew Kassler is retiring. I know literally no one who has worked harder to make this the kind of country that we all want to live in. Her dedication to providing needed assistance at the critical time in their lives to lower-income women and their children is unsurpassed.

I will personally miss her as a source of absolutely reliable advice in this area. She combined a zeal for the important work she was doing with a balanced outlook and a realistic understanding of how to get things done that made her an advisor on whom I could always rely without any question.

For 25 years Mary Kelligrew Kassler has exemplified public service in a critical area. Madam Speaker, I hope that young people contemplating careers will learn about the extraordinary work she did and that she will be, at least for some, a role model.

HONORING CENTRAL CALIFORNIA HISPANIC CHAMBER OF COMMERCE

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Central California Hispanic Chamber of Commerce upon the celebration of their 25th anniversary. The anniversary will be celebrated on Friday March 13, 2009 in Fresno, California.

In 1983 a small, influential group of Hispanic business owners in the Fresno area came together and identified a need for a business organization that was aimed toward growing and developing Hispanic owned businesses. The leaders began to develop strong ties to the California Hispanic Chamber of Commerce. Together they built the foundation and began to gather support from local businesses and leaders to form the Central California Hispanic Chamber of Commerce (CCHCC). Under the leadership of Hugo Morales, Carmen Navarro, Jo Ann Orijel, the late Albert Ramirez, Jorge Acuna, David Mendoza, Rose Molina, and others, the CCHCC was formed.

The focus for the first couple of years was to become incorporated, obtain non-profit status, to expand and cover the Central Valley and to create by-laws and establish a board of directors. This was accomplished by 1985. The CCHCC further gained momentum when State Center Community College District, California State University, Fresno, Pepsi-Cola and other corporations pledged their support. These early supporters help catapult CCHCC into becoming a viable business organization.

Today, CCHCC is involved in addressing the quality of life for the Hispanic community. The CCHCC has hosted several events to promote and revitalize local Hispanic businesses and boost the economy for the entire Central Valley.

Madam Speaker, I rise today to commend and congratulate Central California Hispanic Chamber of Commerce on 25 years of business. I invite my colleagues to join me in wishing CCHCC many years of continued success.

CELEBRATING THE 100TH BIRTHDAY OF NORTHEASTERN STATE UNIVERSITY

HON. DAN BOREN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. BOREN. Madam Speaker, I rise today to honor a significant milestone for a prestigious institution of higher learning in my state of Oklahoma. Northeastern State University, located in Tahlequah, is turning 100 years old this month.

Founded in 1909, Northeastern State University has been a center of learning and excellence for thousands of Oklahomans.

One hundred years ago this month, Governor Charles Haskell signed the document creating Northeastern State Normal School on the site of the former Cherokee National Female Seminary. Since that day, NSU has become a highly regarded academic institution and the fourth largest university in the state of Oklahoma.

With a student body of more then 9,000, NSU brings a broad swath of diversity to the learning environment. 29% of the students who attend Northeastern State are self-identified Native Americans.

NSU offers degree programs in four academic colleges and is home to Oklahoma's only College of Optometry.

On the athletic field, things look just as promising for Northeastern. NSU is a member of the NCAA Division II Lonestar Conference and fields teams in basketball, baseball, football, golf, soccer, softball and tennis.

In these times of limited educational dollars, it is important for the United States Congress to remember the local and regional universities that educate so many of our citizens. Northeastern State University is an enormous asset to eastern Oklahoma and I come to the floor today to honor all they do.

Happy Birthday Northeastern State University!

EARMARK DECLARATION

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. STEARNS. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of the FY 2009 Omnibus.

Requesting Member: Congressman CLIFF STEARNS

Bill Number: FY 2009 Omnibus

Account: Cooperative State Research Education and Extension Service, SGR

Legal Name of Requesting Entity: Florida Citrus Mutual

Address of Requesting Entity: P.O. Box 89, Lakeland, FL 33802

Description of Request: I have secured $1,217,000 for Florida Citrus Mutual. The funding will be used to improve technologies for treatment and detection, methods of movement and containment, and means to control and eliminate these devastating citrus diseases. After two unprecedented, devastating hurricane seasons in 2004 and 2005, APHIS determined in January 2006 that eradicating citrus canker from Florida is no longer feasible. As a result, the scientific community

work is working to find disease resistance and/or a cure for these diseases. In addition, in 2005, USDA-Animal Plant Health Inspection Service (USDA–APHIS) detected citrus greening in Florida. Greening is another severe citrus disease that must be addressed to ensure the sustainability of the industry. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman CLIFF STEARNS

Bill Number: FY 2009 Omnibus

Account: Department of Justice, OJP—Byrne Discretionary Grants

Legal Name of Requesting Entity: Alachua County, FL

Address of Requesting Entity: 12 SE 1st Street, Gainesville, FL 32602

Description of Request: I have secured $550,000 for Alachua County, FL. The funding will be used by Alachua County to manage offenders with co-occurring mental illness and substance abuse disorders. Alachua County proposes an integrated, coordinated continuum of care using evidence-based practices where there will be "no wrong door" to enter treatment. Persons will be assessed and provided with a level of treatment consistent with individual need. This innovative approach could prove to be an effective keystone to alleviate jail overcrowding by reducing the recidivism rate that is prevalent with offenders suffering from a mental illness compounded by drug abuse. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman CLIFF STEARNS

Bill Number: FY 2009 Omnibus

Account: Department of Justice, COPS Law Enforcement Technology

Legal Name of Requesting Entity: Lake County, FL

Address of Requesting Entity: 315 W. Main St., Tavares, FL 32778–3813

Description of Request: I have secured $150,000 for Lake County, FL. The funding will be used by Lake County for a 800 MHz Radio System to serve the public safety needs and Emergency Operations Center of the County. An 800 MHz radio system will allow for the coordination of Lake County's emergency response services. The project would allow for the first time portable radio communications across the county. After the recent tornados that struck the County February 2, 2007, and in previous years Hurricanes, having an 800 MHz radio system will better equip the County's public safety personnel to respond and offer assistance. The project is supported by both the Sheriff's office and the municipalities in Lake County. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman CLIFF STEARNS

Bill Number: FY 2009 Omnibus

Account: Corps of Engineers, Construction

Legal Name of Requesting Entity: Jacksonville Port Authority

Address of Requesting Entity: 2831 Talleyrand Avenue, Jacksonville, FL 32206–0005

Description of Request: I have secured $3,349,000 for the Jacksonville Port Authority. The funding will be used to increase the Corps of Engineers' capability for completing Phase II dredging of the federal ship channel to the Talleyrand Terminal. Prompt completion of this deepening project, which began seven years ago, is critically important to meet the needs of fully loaded cargo ships and for the continued commercial viability and operational safety of the Jacksonville Port. Navigation safety issues will be addressed in the vicinity of the Chaseville Turn where docked oil tankers are in close proximity to vessels attempting to navigate the restricted turning area. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman CLIFF STEARNS

Bill Number: FY 2009 Omnibus

Account: Small Business Administration

Legal Name of Requesting Entity: Central Florida Community College

Address of Requesting Entity: 3001 SW College Rd, Ocala, FL 34474–4415

Description of Request: I have secured $100,000 for Central Florida Community College. The funding will be used to support an initiative to identify growth industries compatible with the research strengths of the University of Florida and the workforce training strengths of Central Florida Community College and Santa Fe Community College. The educational institutions, in cooperation with regional economic development entities, would develop a strategic plan to recruit and/or expand identified industry groups, such as those related to the bio-medical industry at the University of Florida. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman CLIFF STEARNS

Bill Number: FY 2009 Omnibus

Account: Department of Education, Higher Education

Legal Name of Requesting Entity: Central Florida Community College

Address of Requesting Entity: 3001 SW College Rd, Ocala, FL 34474–4415

Description of Request: I have secured $238,000 for Central Florida Community College. The funding will be used by Central Florida Community College for expansion of the Public Policy Institute. The Public Policy Institute (PPI) of Marion County was established in 1999 as a non-profit, non-partisan citizen-based organization to provide a careful analysis of the issues and trends that shape and affect public policy. Its mission is to give the community a sense of hope and optimism by creating a broad base of community involvement in identifying, researching, and establishing dialogue on community issues, and then in recommending and helping to implement timely solutions. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman CLIFF STEARNS

Bill Number: FY 2009 Omnibus

Account: Department of Transportation, Airport Improvement Program

Legal Name of Requesting Entity: Jacksonville Aviation Authority

Address of Requesting Entity: P.O. Box 18018, Jacksonville, FL 32229

Description of Request: I have secured $722,000 for the Jacksonville Aviation Authority. The funding will be used to make taxiway improvements at Cecil Field. The project consists of the 2,000 foot parallel Taxiway Echo east of existing Runway 18L/36R and the 500 foot Taxiway A–1 connector, along with the 120,000 square foot apron. These improvements will open new areas of the airport east of the existing runway for new economic development and job creation. I certify that neither I nor my spouse has any financial interest in this project.

Requesting Member: Congressman CLIFF STEARNS

Bill Number: FY 2009 Omnibus

Account: Department of Transportation, Transportation, Community, and System Preservation

Legal Name of Requesting Entity: Marion County, FL

Address of Requesting Entity: 601 SE 25th Ave., Ocala, FL 34471

Description of Request: I have secured $475,000 for Marion County, FL. The funding will used for construction of 9.2 miles of a new 4-lane, rural, divided roadway (Belleview Bypass) and improvements to State Road 35 (Baseline Road) in the Belleview area. The new managed access 4-lane roadway begins south of the City of Belleview at US 441 and loops around the city on the east to tie into Baseline Road north of the city at 92nd Place. Improvements to Baseline Road begin south of this intersection and include reconstruction of this 2-lane road to a 4-lane divided arterial up to CR 464. I certify that neither I nor my spouse has any financial interest in this project.

PERSONAL EXPLANATION

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. CROWLEY. Madam Speaker, on March 6, 2009, I was absent for one rollcall vote. If I had been here, I would like the RECORD to reflect that I would have voted "yes" on rollcall vote No. 109.

RECOGNITION OF MEADOW BRIDGE HIGH SCHOOL'S 100% SENIOR CLASS REGISTRATION

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. RAHALL. I rise today in recognition of Meadow Bridge High School in Meadow Bridge, West Virginia. With encouragement from their principal, Al Martine, 100% of the senior class has submitted voter registration forms to the County Clerk in Fayetteville, West Virginia.

Meadow Bridge High School has an eight-year history of registering their entire senior class, and they are the only known school in West Virginia with such an accomplishment to call their own. Not only that, but Meadow Bridge High School was recently honored as a bronze level school in US News and World Report. They were singled out because every student, even the most disadvantaged, has standardized test scores that are above the state average. If that doesn't take hard work or doesn't deserve recognition here, I don't know what does.

Were he still with us today, I am certain West Virginia Senator Jennings Randolph, who proposed the 26th Amendment to our Constitution to lower the voting age to 18 in 1971, would be very proud of each and every student at Meadow Bridge High School. As your elected representative to Washington, I am especially moved by the faculty's efforts to get young people involved in the political process at a young age. By registering to vote, they have achieved the highest office in our land, that of a citizen.

West Virginians have a long, proud history of serving their country. It brings me great pleasure to be able to recognize the efforts of our youngest new voters as they continue in the grand tradition of their classmates, parents and neighbors who registered to vote before them. These students take great pride in doing their civic duty, and I look forward to having their voices heard at the polls come election season.

Let us take this moment to recognize the truly spectacular achievement they have attained with this milestone.

IN TRIBUTE TO HARRY SCHWARTZ BOOKSHOPS

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Ms. MOORE of Wisconsin. Madam Speaker, I rise to pay tribute to Milwaukee's landmark bookstore chain, Harry W. Schwartz Bookshops. After 82 years of business and service to the entire Greater Milwaukee community, the company will close its doors at the close of business on March 31, 2009.

The chain was founded two years before the Great Depression, in 1927, by Harry W. Schwartz, who opened his first shop on Downer Avenue. Mr. Schwartz soon became known for the books that he chose to sell. He championed then-controversial 20th-century authors such as William Faulkner and Ernest Hemingway. His son, David, took over the business in 1972 and under the younger Schwartz's leadership the company added more stores. New stores were placed in neighborhoods where national chains could not build. Books were carefully selected to reflect local customer preferences and coffee and other soft items were offered. The company began mentoring and assisting other small bookstores including the Cultural Connection Bookstore.

Schwartz unleashed his biggest innovation, readings with big-name authors including President Barack Obama, then Senator Obama, with the introduction of his book The Audacity of Hope, in 2006. Schwartz Bookshops became known for their great author events throughout the national book industry. Schwartz Bookshops' parent company, Dickens Books Ltd., also began an operation that sells business books, which today is a separate division, 800–CEO–Read. Despite the advent of the big box booksellers, Schwartz prospered in the 1980s and 1990s. After the death of David Schwartz in 2004 his widow, Carol Grossmeyer, took over as president and his daughter, Rebecca Schwartz, became chairman of the company.

Booksellers now have competition not only from the national chains, but also from online booksellers, digital books, and the economic downturn that affect how people both read and purchase books. Although the Schwartz brick and mortar Bookshops will close, two of the stores will continue operating under new owners. Ms. Grossmeyer and Ms. Schwartz will continue to run Dickens Books Ltd and the 800–CEO–Read Division which remains profitable.

Madam Speaker, my district and Greater Milwaukee will experience a profound loss with the closing of the Harry W. Schwartz Bookshops; I thank them for their immeasurable achievements and salute their legacy.

IN RECOGNITION OF MR. MICHAEL E. PRICKETT

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. ROGERS of Alabama. Madam Speaker, I respectfully ask the attention of the House today to pay recognition to a constituent of mine, Mr. Michael Prickett, and his steadfast service to his community.

Mr. Prickett has served as the Fire Chief of the Alexandria Fire Department since 1979. His 39 years of service have helped further strengthen the department as an institution the people of Calhoun County can rely upon to provide safety and peace of mind. On March 14th, Mr. Prickett's family and friends will gather to honor his service during a special retirement dinner.

I am proud to join the members of the Alexandria Fire Department in thanking Mr. Prickett for his service and wish him and his family the best at this important occasion to honor his dedication and leadership.

INTRODUCTION OF THE SCHOOL FOOD RECOVERY ACT OF 2009

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. WOLF. Madam Speaker, I rise today to introduce the School Food Recovery Act of 2009. The purpose of this legislation is simple: to keep excess school food out of the garbage and get it into our food banks.

Our Nation's food banks and food pantries are struggling to keep up with demand. On average, client visits are up more than 30 percent over the past year. Families in northern Virginia and all around the Nation are going hungry. Our food banks and food pantries are their last resort.

Consider that for a family earning $45,000 a year, it costs an extra $1,000 today to maintain the same food, gas, and basic good purchases compared to 2006—a 9.6% increase. That reality has led some families in my district who had been donating food in the past to now turn to the same pantries for food assistance.

Unfortunately, we are not doing enough to prevent the waste of perfectly good food as these families go hungry. According to a USDA report on waste in the National School Lunch Program, it was reported that an estimated "30 million Americans were in danger of going hungry and 96 billion pounds of food were being wasted at the retail and food services level."

To address this, former Agriculture Secretary Dan Glickman awarded twelve $10,000 grants to school districts during the 1998–1999 school year to develop models to donate unused food to local food banks and food pantries and the results were published in a "best practices" manual in 1999. However, since the conclusion of the one-year grants, little has been done at the Federal level to encourage school districts to donate surplus food to food banks.

In 1993, Congress passed the Bill Emerson Good Samaritan Act, which protects donors who give to food banks in good faith from all liability. This law has helped encourage many businesses and civic organizations to donate more and to build connections with food agencies.

Unfortunately, the same cannot be said about our school cafeterias. Far too few school districts have been willing to donate excess food, primarily due to administrative resistance and a misperception that Federal regulation doesn't allow it.

The School Food Recovery Act will clarify—once and for all—that schools are covered from liability under the Good Samaritan Act and will allow each school to authorize an employee who has the discretion to release excess school food to local food banks on a regular basis.

I believe this legislation will cut through the red tape and ensure that excess school food is used to feed the hungry, not to fill a school's dumpster. It only requires schools to identify local food banks and pantries, identify the employee authorized to release food to those agencies, and create a database of these contacts at each school that food banks can use to connect with these individuals.

Madam Speaker, I encourage my colleagues to join me in cosponsoring this straightforward legislation to help feed the hungry.

FREEMAN IS NOT THE MAN FOR THE JOB

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. WOLF. Madam Speaker, I would like to bring to my colleagues' attention the following letter I recently sent to President Obama regarding the appointment of former Ambassador Charles W. Freeman to serve as chair of the National Intelligence council.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
March 6, 2009.

Hon. BARACK H. OBAMA,
The President, The White House,
Washington DC.

DEAR MR. PRESIDENT: I write today to share my deep concern regarding the appointment of Chas W. Freeman Jr. as chairman of the National Intelligence Council.

Particularly disturbing is Mr. Freeman's position on the international advisory board of the China National Offshore Oil Corp. (CNOOC), which he has held since March 2004. The communist government of China,

along with other state-owned companies, are majority stakeholders in CNOOC. This connection would require Mr. Freeman to recuse himself from certain matters involving China.

The 2007 United States-China Economic and Security Review Commission's Classified Report to the Congress addresses Chinese activities in the areas of espionage, cyber warfare, and arms proliferation. In 2006 four of the computers in my Capitol Hill office were hacked. It was confirmed by the FBI that these attacks originated in the People's Republic of China. The economic stimulus plan recently rolled out by Chinese Premier Wen Jiaobao includes a 14.9 percent increase in military spending. It is evident that China poses an increasing national, security threat to the United States. How is national security policy enhanced by having a chairman of the NIC who must recuse himself from matters involving a regime which poses one of the most serious national security risks to the United States?

In an April 25 speech given by Mr. Freeman at the National War College Alumni Association, he described the March 2008 protests in Tibet as ''a race riot.'' The Tibetan people have suffered for decades at the hands of the authoritarian Chinese government, and such a characterization of the March uprising is deeply insulting. I traveled to Tibet in 1997 where I heard endless accounts of violent oppression by the Chinese government. I spoke to Buddhist monks and nuns who recounted their experiences of torture and imprisonment in Tibet's notorious Drapchi Prison. Just last week, the Associated Press reported that a Tibetan monk was shot three times by Chinese security forces after he set himself on fire.

Additionally, CNOOC's substantial investment in Sudan's oil sector has served as the lifeline to the regime of President Omar al Bashir, recently indicted by the International Criminal Court for war crimes and crimes against humanity. Senator Sam Brownback and I traveled to Darfur in 2004, where we saw first hand the suffering and destruction that has taken place under the Bashir regime. We heard first hand accounts of women who were brutally abused at the hands of the janjaweed forces. During our visit we captured the haunting images of the terror and destruction, and we will share those photographs with your administration at your request. Mr. Freeman's appointment to this high level post undermines the policy of U.S. divestment from the genocidal regime of Sudan.

Most recently, Mr. Freeman served as president of the Middle East Policy Council, a think-tank funded by the Kingdom of Saudi Arabia. On September 20, 2006, in an interview with the Saudi-US Relations Information Service, Mr. Freeman said that ''thanks to the generosity of King Abdullah bin Abdulaziz of Saudi Arabia we have managed to accumulate an endowment'' for the Middle East Policy Council. According to filings with the Internal Revenue Service, Mr. Freeman drew an annual salary from the Middle East Policy Council. However, the foundation has never publicly released its list of contributors.

In his Pulitzer Prize winning book, The Looming Tower, Lawrence Wright states on page 170 that ''Saudi Arabia, which constitutes only 1 percent of the world's Muslim population . . . supports 90 percent of the expenses of the entire faith,'' including ''thousands of religious schools around the globe, staffed with Wahhabi imams and teachers.'' I have enclosed a copy of this book and strongly encourage you to read it. Wahhabi teachings exported by the Saudis have inspired a generation of young radicals that have proven themselves ready to take up arms in the name of faith. Many experts believe that the notorious Taliban leader Mullah Omar was educated in a Saudi-funded radical madrassah. How can Mr. Freeman possibly be expected to confront this challenge head on after taking home years of paychecks from the Saudis?

The reprehensible regimes with which CNOOC does business does not end there. The company rebuffed public calls to withdraw from Burma in October 2007 after the ruling military junta opened fire on peaceful protestors in a movement known as the Saffron Revolution. CNOOC also has invested in Iran, a country which is actively seeking to build nuclear weapons and has vowed to ''wipe Israel off the map.'' Such activities starkly contrast with the national security interests of the United States.

The evidence strongly suggests that Mr. Freeman is not the right person for this job and for the good of our country I urge you to reconsider your choice.

Best wishes.

Sincerely,

FRANK R. WOLF,
Member of Congress.

INTRODUCTION OF THE MAPLE TAPPING ACCESS PROGRAM ACT

HON. JOHN M. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. MCHUGH. Madam Speaker, I rise today to introduce the Maple Tapping Access Program (TAP) Act, which is designed to increase maple syrup production in the United States. It would also further economic development in rural areas like Northern and Central New York, which I am honored to represent.

The United States has the potential to greatly increase its maple syrup production. In fact, there are nearly two billion potential taps dispersed across 20 states. However, despite this wealth of resources, the United States currently imports four times as much maple syrup as is produced domestically. In fact, we only tap 7.5 million or one in every 250 maple trees. According to Cornell University, if the United States' maple industry increased its rate to just 2.1%, 42 million more trees could be tapped. This increased production would have an annual economic impact in excess of $300 million.

In an effort to enhance U.S. maple syrup production, the Maple Tapping Access Program Act would direct the U.S. Secretary of Agriculture to establish a public access program, for which $20 million would be authorized annually. Through this program, State and tribal governments could apply for competitive grants to design and implement programs to encourage landowners to provide access to their land for maple tapping activities.

My friend, Mr. SCHUMER, is introducing the companion measure in the Senate. It is important to note that my legislation differs slightly. Specifically, my bill clarifies that participating landowners may provide access to their land for maple tapping purposes voluntarily or by lease or other means. Additionally, my version of this measure would allow states and tribes to use grant funds to encourage landowners to initiate or expand maple tapping activities on their land.

The Maple Tapping Access Program Act would provide the impetus necessary to stimulate an underdeveloped American maple industry and foster much-needed rural economic development. Accordingly, I ask my colleagues to join with me to enact this important measure.

HONORING ROBERT JONES ALLEN

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 09, 2009

Mr. VAN HOLLEN. Madam Speaker, I rise today to honor Robert Jones Allen in celebration of his recent 86th birthday. He is a remarkable man who, with passion and dedication, has worked tirelessly throughout his career to advance our knowledge of Antarctica and cartography.

Mr. Allen devoted his professional life to studying and learning about Antarctica while performing his cartographic tasks of studying, handling and compiling photographic materials and maps concerning Antarctica. Allen Peak, which sits on the northern edge of the Sentinel Range's main ridge, is named in his honor. Dr. Robert Bindschadler, one of our nation's foremost experts of the continent and a friend of Mr. Allen's, stated that ''there is no one else that holds such broad and deep historical knowledge of Antarctic movements'' and refers to Mr. Allen as his ''Antarctic Encyclopedia.'' His words shed light on Robert Allen's importance to the scientific community.

Bob Allen's contributions to Antarctic science put him in a class all his own. There is no one else that holds such broad and deep historical knowledge of Antarctic measurements. He remembers who did what, when, where, what they saw and (most importantly) where to get the information. His recollections start with the first scientific expeditions to Antarctica in the 1940's and continue to the present day. Much of what he knows was never written down, making his anecdotal record absolutely unique. Often Bob is able to show us what we thought was ''new'' had been noted previously. That kind of expertise and knowledge is priceless.

Robert Allen began his career with the U.S. Department of Agriculture's Aerial Photo Lab. He served his country in the military's 656th Engineering Topography Battalion and later in the 11th Airborne Division. For over 50 years he worked at the U.S. Geological Survey.

His work on the mapping of the Antarctic region has proved invaluable to the scientific community. He has a long-time, intimate relationship with most of the over 1/2 million photographs as well as negatives in the U.S. Antarctic Mapping Photography collection. The Antarctic scientific community would, therefore, consult with him not only to help their expeditions avoid potentially dangerous areas, but also to pinpoint locations that would be conducive for their studies. In a time when satellites and computers were rudimentary instruments, Mr. Allen became the first to determine the speed of the Thwaites Glacier, the fastest moving ice stream in west Antarctica. His vast experience has led numerous explorers and scientists to call on him for answers and advice.

Mr. Allen's expertise is not limited to Antarctica. In the 1960's he helped create a map of Mars via satellite images. He also used photographs from the Apollo 6 mission to create

mosaic maps of the United States. He compiled maps of China and the Red Sea using satellite data.

Today Mr. Allen spends his time at the United States Antarctic Resource Center where he still amazes his co-workers with his ability to retrieve information from the early days of U.S. studies of Antarctica and then apply it to current studies. His devotion to studying this extraordinary region of our planet merits our praise and gratitude.

Madam Speaker, I ask my colleagues to join me in saluting Mr. Allen for his 60 years of public service, for his accomplishments, and for all he has done to advance scientific understanding.

PERSONAL EXPLANATION

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. EHLERS. Madam Speaker, due to illness, I unfortunately was unable to be present and to vote on legislation considered by the House on March 3, 4, 5, and 6, 2009.

On rollcall numbers 91, 92, 93, 94, 95, 96, 98, 99, 106, 108, and 109, had I been present, I would have voted ''yes''.

On rollcall numbers 97, 105, and 107, had I been present, I would have voted ''no''.

On rollcall number 104, had I been present, I would have voted ''no''. Though the Helping Families Save Act of 2009 (H.R. 1106) included some good provisions, the bill also included troubling bankruptcy provisions. On the amendments considered, had I been present, I would have voted ''yes'' on rollcalls 101 and 102 and ''no'' on rollcall 100. Also, had I been present, I would have voted ''yes'' on the Motion to Recommit with Instructions (rollcall 103).

I regret that I did not have the opportunity to vote on these important measures.

HONORING MATTHEW C. GARCIA

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Matthew C. Garcia 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 357, and in earning the most prestigious award of Eagle Scout.

Matthew has been very active with his troop participating in many scout activities. Over the many years Matthew 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 Matthew C. Garcia for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CELEBRATING THE 100TH ANNIVERSARY OF THE DENTON CHAMBER OF COMMERCE

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. BURGESS. Madam Speaker, I rise today to honor the Denton Chamber of Commerce, which will celebrate its 100th Anniversary on April 21, 2009.

The Denton Chamber of Commerce is an alliance of businesses, professionals, and organizations working to support and promote the principles for a prosperous economic environment.

Established April 21, 1909, the Chamber has grown to involve over 860 members. In its 100 years of operation, the Chamber has a record of promoting, supporting and expanding the Denton business community. Small businesses have long benefited from the efforts of the Denton Chamber of Commerce and have also found it an avenue to give back to their community. Many members are not only successful in business, but also volunteer and serve on boards of local charity and community groups.

The Chamber has played a significant role in the community's economic health, establishing an Economic Development Partnership with the City of Denton focused on helping create new jobs, supporting existing career opportunities and expanding the property tax base. A prime example of this success was the partnership's work to attract the largest local employer, the Peterbilt Motors plant, and later, Peterbilt's division headquarters.

Helping in the efforts to secure the sites for the Denton State School, and the sites for FEMA's underground center and National Teleregistration facility, the Denton Chamber of Commerce's contributions have gone beyond just helping the business community.

With programs such as Leadership Denton, Chamber members have learned the inner workings of policy. It has worked to supplement communications with state and federal officials with the initiation of county wide events such as Denton County Day in Austin and the Washington Fly-In. A tribute to their role in community service and leadership development is evidenced by the dozens of members that have served on local city councils, school boards and in other elected positions.

It is with great pride that I stand here today to join others in celebrating the 100th Anniversary of the Denton Chamber of Commerce. I wish the membership, staff and board all the best and I am proud to represent them in the U.S. House of Representatives.

SENATOR EDWARD M. KENNEDY, RECIPIENT OF THE ''SCHOLAR-PATRIOT AWARD''

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. CAPUANO. Madam Speaker, I rise in tribute to the Senior Senator from Massachusetts, EDWARD M. KENNEDY, and to the American Academy of Arts and Sciences which has just honored Senator KENNEDY with its ''Scholar-Patriot Award.''

Nearly 230 years ago in Cambridge, in what would become the Eighth Congressional District of Massachusetts, John Adams, James Bowdoin, John Hancock, and other ''scholar-patriots'' established the American Academy of Arts and Sciences.

The Academy was created, during the American Revolution, to provide a forum for leaders from science, scholarship, business, public affairs, and the arts, to work together as citizens in support of a democratic republic. In the words of the Academy's charter, enacted in 1780, the ''end and design of the institution is . . . to cultivate every art and science which may tend to advance the interest, honor, dignity, and happiness of a free, independent, and virtuous people.''

Today, the Academy, still in Cambridge, flourishes as an independent policy research center. Its members remain true to the original mission, conducting multidisciplinary studies of complex and emerging problems. Current Academy research focuses on science and global security; social policy; the humanities and culture; and education.

On March 9, 2009, the American Academy of Arts and Sciences convened a meeting in Washington, D.C. on the topic of The Humanities in a Civil Society. As part of the program, the Academy announced the presentation of its Scholar-Patriot Award to the dean of our state's congressional delegation, Senator EDWARD M. KENNEDY. Throughout his career, Sen. KENNEDY has been a stalwart champion of the humanities. I am proud to enter into the CONGRESSIONAL RECORD the citation from the Academy, and I congratulate my friend and colleague for this well-deserved recognition. ''The American Academy bestows its Scholar-Patriot Award on EDWARD M. KENNEDY for his extraordinary service to the Academy, the community, and the nation.

''For four decades you have been a fierce defender of the ideals of opportunity, equity, and justice. Master of quiet collaboration and inspired oratory, you have achieved an unparalleled legislative record. Your efforts to insure quality education and health care for all Americans, including your leadership on the Americans with Disabilities Act, the State Children's Health Insurance Program, and The Elementary and Secondary Education Act, have earned you the respect of men and women across the political spectrum. From your first major bill on immigration reform to your recent call for a renewed commitment to community service, you have championed an open and inclusive society. To your family and the nation, you are a profile of courageous leadership, the guardian of a dream that lives on.

''The founding members of the American Academy were pragmatic visionaries, anticipating the needs of a young republic for both wise governance and fresh ideas. You follow in their footsteps as a Scholar-Patriot for our time. Asserting that ''our future does not belong to those who are content with today,'' you have fulfilled the Academy's historic mission, translating knowledge into action and celebrating the life of the mind in service to the community, the nation, and the world.''

RECOGNIZING WEN CHYAN

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. BURGESS. Madam Speaker, I rise today to acknowledge Wen Chyan, from the 26th District of Texas, who was the winner of the Siemens Westinghouse Competition in Math, Science, and Technology.

Wen Chyan's curiosity about chemistry was sparked by his parents, both scientists, at an early age. Wen's astuteness has earned him recognition from the U.S. National Chemistry Olympiad, U.S.A. Biology Olympiad, and the Texas Science and Engineering Fair. His ambition and desire to contribute to medical advancements prompted him to create an antimicrobial coating for medical devices, a development that has the potential to save lives. Wen is the first TAMS student to advance to such a high level in this competition, which features the research of more than 1,000 students. Wen's hard work has earned him high recognition and a $100,000 scholarship.

I am proud to recognize Wen Chyan for the stunning research he has accomplished, the award he has received, and the promise he holds for the future of American science. It is a privilege to represent Mr. Chyan in the 26th District of Texas.

INTRODUCTION OF THE ''THOMASINA E. JORDAN INDIAN TRIBES OF VIRGINIA FEDERAL RECOGNITION ACT''

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. MORAN of Virginia. Madam Speaker, in 2006 representatives and leaders of Virginia's Native American tribes left their communities and flew to England to participate in ceremonies that were a prelude to the 400th anniversary of the first permanent English settlement in America. Some of the distinguished Virginia residents who made this trip are the blood descendants and leaders of the surviving seven tribes that once were a part of the Great Powhatan Confederacy that initially helped sustain the colonists during their difficult first years at Jamestown. Virginia's best known Indian, Pocahontas, traveled to England in 1617 with her husband John Rolfe and was received by English royalty. She died a year later of smallpox and is buried in the chapel of the parish church in Gravesend, England.

Two years ago, this nation celebrated the 400th anniversary of the settlement of Jamestown. But it was not a celebration for Native American descendants of Pocahontas, for they have yet to be recognized by our federal government. Unlike most Native American tribes that were officially recognized when they signed peace treaties with the federal government, Virginia's six Native American tribes made their peace with the Kings of England. Most notable among these was the Treaty of 1677 between these tribes and King Charles II. This treaty has been recognized by the Commonwealth of Virginia every year for the past 331 years when the Governor accepts tribute from the tribes in a ceremony now celebrated at the State Capitol. I had the honor of attending last November what is understood to be the longest celebrated treaty in the United States.

The forefathers of the tribal leaders who gathered last Thanksgiving in Richmond were the first to welcome the English, and during the first few years of settlement, ensured their survival. As was the case for most Native American tribes, as the settlement prospered and grew, the tribes suffered. Those who resisted quickly became subdued, were pushed off their historic lands, and, up through much of the 20th Century, were denied full rights as U.S. citizens. Despite their devastating loss of land and population, the Virginia tribes survived, preserving their heritage and their identity. Their story of survival spans four centuries of racial hostility and coercive state and state-sanctioned actions.

The Virginia tribes' history, however, diverges from that of most Native Americans in two unique ways. The first explains why the Virginia tribes were never recognized by the federal government; the second explains why congressional action is needed today. First, by the time the federal government was established in 1789, the Virginia tribes were in no position to seek recognition. They had already lost control of their land, withdrawn into isolated communities and stripped of most of their rights. Lacking even the rights granted by the English Kings, and our own Bill of Rights, federal recognition was nowhere within their reach.

The second unique circumstance for the Virginia tribes is what they experienced at the hands of the state government during the first half of the 20th Century. It has been called a ''paper genocide.'' At a time when the federal government granted Native Americans the right to vote, Virginia's elected officials adopted racially hostile laws targeted at those classes of people who did not fit into the dominant white society. The fact that some of Virginia's ruling elite claimed to be blood descendants of Pocahontas in their view meant that no one else in Virginia could make a claim they were Native American and a descendant of Pocahontas' people. To do so would mean that Virginia's ruling elite were what they decreed all non-whites to be: part of ''the inferior Negroid race.''

With great hypocrisy, Virginia's ruling elite pushed policies that culminated with the enactment of the Racial Integrity Act of 1924. This act directed state officials, and zealots like Walter Plecker, to destroy state and local courthouse records and reclassify in Orwellian fashion all non-whites as ''colored.'' It targeted Native Americans with a vengeance, denying Native Americans in Virginia their identity.

To call oneself a ''Native American'' in Virginia was to risk a jail sentence of up to one year. In defiance of the law, members of Virginia's tribes traveled out of state to obtain marriage licenses or to serve their country in wartime. The law remained in effect until it was struck down in federal court in 1967. In that intervening period between 1924 and 1967, state officials waged a war to destroy all public and many private records that affirmed the existence of Native Americans in Virginia. Historians have affirmed that no other state compares to Virginia's efforts to eradicate its citizens' Indian identity.

All of Virginia's state-recognized tribes have filed petitions with the Bureau of Acknowledgment seeking federal recognition. But it is a very heavy burden the Virginia tribes will have to overcome, and one fraught with complications that officials from the bureau have acknowledged may never be resolved in their lifetime. The acknowledgment process is already expensive, subject to unreasonable delays, and lacking in dignity. Virginia's paper genocide only further complicates these tribes' quest for federal recognition, making it difficult to furnish corroborating state and official documents and aggravating the injustice already visited upon them.

It wasn't until 1997, when Governor George Allen signed legislation directing state agencies to correct state records, that the tribes were given the opportunity to correct official state documents that had deliberately been altered to list them as ''colored.'' The law allows living members of the tribes to correct their records, but the law cannot correct the damage done to past generations or recover documents that were purposely destroyed during the ''Plecker Era.''

In 1999, the Virginia General Assembly adopted a resolution calling upon Congress to enact legislation recognizing the Virginia tribes. I am pleased to have honored that request, and beginning in 2000 and in subsequent sessions, Virginia's Senators and I have introduced legislation to recognize the Virginia tribes.

There is no doubt that the Chickahominy, the Eastern Chickahominy, the Monacan, the Nansemond, the Rappahannock and the Upper Mattaponi tribes exist. These tribes have existed on a continuous basis since before the first European settlers stepped foot in America. They are here with us today.

I know there is resistance in Congress to grant any Native American tribe federal recognition. And I can appreciate how the issue of gambling and its economic and moral dimensions has influenced many Members' perspectives on tribal recognition issues. The six Virginia tribes are not seeking federal legislation so that they can build casinos. They find this assertion offensive to their moral beliefs. They are seeking federal recognition because it is an urgent matter of justice and because elder members of their tribes, who were denied a public education and the economic opportunities available to most Americans, are suffering and should be entitled to the federal health and housing assistance available to federally recognized tribes.

To underscore this point, the legislation I am introducing includes language approved last session by the House of Representatives that would prevent the tribes from engaging in gaming on their federal land even if everyone else in Virginia were allowed to engage in Class III casino-type gaming.

In the name of decency, fairness and humanity, I urge my colleagues to support this legislation and bring closure to centuries of injustice Virginia's Native American tribes have experienced.

HONORING AARON R. KLEINMEYER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Aaron R. Kleinmeyer 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 357, and in earning the most prestigious award of Eagle Scout.

Aaron has been very active with his troop participating in many scout activities. Over the many years Aaron 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 Aaron R. Kleinmeyer for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

MAYOR LYNDA BELL OF THE CITY OF HOMESTEAD, FLORIDA

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, I rise today to honor a remarkable woman and friend from Florida's 25th District, Mayor Lynda Bell of the City of Homestead. She was elected Mayor in November 2007 and serves as Homestead's first woman mayor in the city's 94-year history. Prior to this accomplishment, she served four years on the city council from 2003–2007 and was Vice Mayor for two years.

Born in Hollywood, Florida, Mayor Bell was raised in South Florida and attended Miami-Dade College. She has been a resident of Homestead since 1979 and understands the needs of the diverse community she represents. She has a strong personal belief in volunteerism and service, and is completely dedicated to our community. What most stands out about Mayor Bell is the energy she puts into her work. Her positive attitude is what enables her to get things done and encourages others to join her in working towards achieving the goals she has laid out for the City of Homestead.

In 2004, Mayor Bell was chosen as the recipient of the Athena Award from the Greater Homestead/Florida City Chamber of Commerce and was a finalist for the Florida League of Cities' Councilperson of the Year Award in 2007.

In addition to putting the needs of our community first, Mayor Bell also makes life at a home a priority as a dedicated wife to husband Mark, and loving mother and grandmother to three children and seven grandchildren.

Mayor Lynda Bell exemplifies the true meaning of public service and does so by always prioritizing the needs of others first. As we celebrate Women's History Month, I ask you to join me in congratulating Mayor Bell for her invaluable service and contributions to our community.

HONORING ARIZONA PIONEER AND NATIONAL TREASURE MS. CELE PETERSON

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. GRIJALVA. Madam Speaker, I rise today to honor a Tucson, Arizona icon, a state of Arizona pioneer and a national treasure—Ms. Cele Peterson. Cele Peterson, a visionary and an activist, will turn 100 on March 14, 2009 and she is still busy as a catalyst for business, cultural, environmental, and children's organizations in Tucson, Arizona. She grew up in the wildest days of Bisbee, a little mining town in Arizona close to the border with Mexico. She tells stories about watching skirmishes of the Mexican Revolution from high on the hills across the valley, sitting at the knee of an old ''mule skinner'' listening to tales of the West, and of her brother dynamiting their backyard to build a garden for their mother. Cele maintains that her strength and persistence is due to the 365 steps she climbed up and down the steep hills of Bisbee to and from school every day.

At fifteen, she graduated from high school and began attending the University of Arizona. She went on to Sullins College in Bristol, Virginia and George Washington University in Washington, D.C. Cele worked at the Library of Congress in the manuscript division in the late 1920's. She was sent to Mexico City where she continued her work of translating old Spanish manuscripts pertaining to the history of the Southwest.

In 1931, when Cele opened a dress shop in Tucson, she began a career that integrated her love of history, creativity as a designer, business acumen and intelligence with her values and desires to improve the community. Today, Cele will still tell you that her most important priority always was her love for her husband Tom and their five children. Her love today continues to be centered on her on children, her 14 grandchildren and her 10 great grandchildren.

For the last 78 years, Cele Peterson Fashion's has grown and changed with the times, yet Cele claims she has never worked a day in her life. She loves what she does, and has adventures and honors that reflect her enthusiasm. In the 1940's she initiated a daily radio broadcast from her downtown store. In the 1950's she was selected as a young American designer to participate in the Merrimack fashion show at New York's Metropolitan Opera. Her denim tailored ''Station Wagon Togs'' drew international recognition. Her designs celebrated Arizona's special resources: copper, cotton, climate, and cattle.

Along the way, Cele founded what is now known as the Tucson Children's Museum, was a co-founder of the Casa de Los Niños, the first crisis nursery in the United States, and was very involved in the beginnings of the Arizona Theater Company and the Tucson Opera Company. She was the instigator of a non-profit organization that celebrates Tucson's Birthday and culture every August. Cele created the idea for Kids International Neighborhood, a non-profit organization that promotes cultural understanding, acceptance and respect among children of the world.

Cele served on University of Arizona boards for the College of Humanities, the School of Architecture and the Steele Memorial Children's Research Foundation. She also served on the boards of the Tucson Trade Bureau, Tucson/Mexico Sister Cities, the Tucson Local Development Corporation, the Industrial Development Authority, the Tucson Association for the Blind and Visually Impaired, the Tucson Symphony Orchestra, Angel Charity for Children, the Tucson Community Foundation and the Tucson Downtown Alliance.

Over the years her achievements have been recognized and honored with numerous awards including: the City of Hope Woman of the Year Award, the Tucson Metropolitan Chamber of Commerce Founders Award, the University of Arizona College of Agriculture Distinguished Citizen Award, the YWCA's Lifetime Achievement Award and the Ernst & Young/INC. Magazine 1995 National Socially Responsible Entrepreneur of the Year Award. Cele was named a Doña de Los Descendientes del Presidio de Tucson, the group of women responsible for maintaining Tucson's historic culture. Cele received a Crystal Apple from the Metropolitan Education Commission and was honored as one of the Four Women Who Helped Build Tucson by the Concerned Media Professionals. In 2004, the America-Israel Friendship League honored her with a Cycle of Life Award. In the same year she was named Grand Marshal of the Tucson Rodeo Parade. In 2007 the Tucson Pima Public Library designated the Cele Peterson Arizona Collection, as an ongoing resource of local history.

As of February 2009 Cele is working on a youth apprentice program for the Rodeo Parade Committee, actively recruiting additions for the Cele Peterson Collection at the library, and encouraging the exchange of cultural ideas for children through the distribution of I Love You in Many Languages, a Kids International Neighborhood book. Cele is also continuing her involvement with a coalition of environmental groups to restore and preserve native growth and wildflowers on a centrally located urban lot.

Clearly Cele Peterson is committed to finding beauty, and changing the world. She often quotes her mother, ''Look into that field out there. You'll see whatever you want to see. You can see wildflowers and beauty or waste and junk.'' Cele has always made a clear decision to look for beauty. In the process, she became a community legend.

HONORING THE LIFE OF MARWAN BURGAN

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. MORAN of Virginia. Madam Speaker, I rise today to pay tribute to the life of Marwan Burgan, community activist, human rights leader, Democratic Party stalwart and dear personal friend. Marwan's long struggle with cancer has ended, but the contributions he made to Northern Virginia, particularly within the Arab American community, will continue as a lasting tribute to his life.

By his own example of civic engagement and leadership, Marwan served as a remarkable model for other first-generation Palestinian Americans. In 2008, he founded PACE

(Project for American Civic Engagement), to facilitate placement of underrepresented young people into Congress as interns and staff. His devotion to public service and efforts to politically empower young people, especially in the Arab American community, has charted a course for a next generation of engaged, enlightened and energetic leaders.

A lifelong civil servant, Marwan worked in Congress for eight years, first as a Foreign Affairs Legislative Assistant, then Legislative Director, and finally as Chief of Staff for former Congressman Mervyn Dymally. Later in his career, he dived into local government, serving as Chief Aide to Penny Gross, a member of the Board of Supervisors of Fairfax County.

Ever since moving to Northern Virginia in the late 1980's, Marwan was heavily involved in local politics and the Democratic Party in Virginia. In his home county of Fairfax, he served as Vice-Chair of Fairfax County Democratic Committee (FCDC) for Voter Registration, chaired the Local Affairs Committee for FCDC and until his death, served on the Steering Committee for the Democratic Party of Virginia.

On the night he passed away, Marwan was planning to attend a dinner with Speaker PELOSI and Northern Virginia leaders at my home. He was feeling especially weak that day and had to decline. I wish he had been able to come. Despite his pain, it would have brought a smile to his lips to hear the Speaker explain how close we are to achieving universal healthcare and economic opportunity for all Americans and the renewed hope for peace throughout the world—issues he had spent his life fighting for.

Madam Speaker, when someone dies so young, it's important that we bear in mind the real tragedy of life is not at death but what dies inside of us while we live. In that sense Marwan lived a long and fruitful life. He never lost his passion, courage or commitment for justice and human rights. Without Marwan its now up to us to stand up and speak out all the louder for what he cared about: dignity of all human beings, the end of the violence and oppression which in many parts of the world is taken for granted, and the love of each other as precious instruments of our God.

HONORING BENJAMIN P. CARR

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Benjamin P. Carr 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 357, and in 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 P. Carr for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN HONOR OF MAREYJOYCE GREEN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. KUCINICH. Madam Speaker, I rise today in honor of Mareyjoyce Green, a profoundly respected and influential member of the Greater Cleveland Community, and in recognition of her dedication to civic engagement, education and the advancement of women.

Dr. Mareyjoyce Green earned her undergraduate degree from Wiley College in Marshall, Texas, where she double majored in Education and Sociology. Prior to continuing her education in dance on a scholarship from the University of Wyoming at Laramie, she married her college sweetheart, Charles Green, and began her career as a teacher in local schools. The couple later moved to Cleveland where Dr. Green taught dance and earned her PhD from Case Western Reserve University (CWRU), with a focus on the sociology of poverty. Dr. Green has taught at a number of local universities including the Ashtabula Branch of Kent State University and Tri-C. Her ability to create unique curricula earned her an appointment by the Chair of CRWUs Sociology Department to head Ohio State University's (OSU) Sociology Department in Lakewood in 1962. Four years later, she became the first woman to head Cleveland State University's (CSU) Sociology Department.

During her tenure at CSU, Mareyjoyce established a number of groundbreaking programs that had a profound effect on both the students of CSU and the residents of the Greater Cleveland Community. Her commitment to social issues manifested in the establishment of Push to Achievement, a program she developed with a fellow professor, Roberta Steinbacher. The program was formed as a partnership between the Cuyahoga County Department of Human Services and the Urban Affairs College of CSU and enabled residents who were receiving public assistance to earn college degrees. Additionally, she co-founded WomensSpace; and has served as Director of the CSU Women's Comprehensive Program for twenty years—the only such program in Northeast Ohio that offers Women's Studies as a major. Dr. Green has tirelessly dedicated her personal and professional time in order to ensure that women obtain the necessary resources to earn advanced degrees and emerge as leaders in their communities.

Dr. Mareyjoyce Green's ability to mobilize the community and to advocate for the social welfare of others has been manifested in the various leadership roles she has played and has served as an undeniable source of inspiration to all those working for social justice. Upon the occasion of her retirement earlier this year as Associate Professor of Sociology and Director of the Women's Comprehensive Program, the Department of Sociology at CSU is establishing the annual Mareyjoyce Green Graduate Assistantship.

Madam Speaker and colleagues, please join me in honoring the leadership and outstanding achievements of Dr. Mareyjoyce Green for her work in both the Greater Cleveland Community and at Cleveland State University.

HONORING JUSTIN RICHARD WHEELER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Justin Richard Wheeler 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 357, and in earning the most prestigious award of Eagle Scout.

Justin has been very active with his troop participating in many scout activities. Over the many years Justin 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 Justin Richard Wheeler for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING THE FLIGHT CREW OF DELTA CONNECTION FLIGHT 5202

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Ms. EDDIE BERNICE JOHNSON of Texas. On February 12, 2009, in the heart of Black History Month, four African-American women accomplished a feat which has never before been performed. They were the first all-female, African-American flight crew to operate a flight in the United States. These women truly are an inspiration to all of us, and I am so honored and pleased to recognize the crew of Delta Connection Flight 5202: Captain Rachelle Jones, First Officer Stephanie Grant, and flight attendants Diana Galloway and Robin Rogers.

When these women operated a flight from Atlanta, Georgia, to Nashville, Tennessee, and the return flight back to Atlanta, they had no idea that they would be making history. Captain Jones is one of only a handful of female African-American pilots in the country, and after her first-officer became sick and was replaced with First Officer Grant, Captain Jones knew that this flight was going to be special. Together these women have positively challenged our ideas of what it means to be in aviation in modern America.

It is important to realize, however, that this feat is merely the extension of a legacy of black female pilots which began with Elizabeth "Bessie" Coleman. Born in Atlanta, Texas, to a poor background, Bessie Coleman overcame numerous obstacles to show the world that a Black woman can indeed be a pilot. After realizing that no American flight school would train her, she studied French and went to Europe to train at a foreign institute. In June of 1961, she became the first African-American woman in the world to obtain a pilot's license.

Let us applaud the efforts of these heroes who have paved the way for African-American women in aviation. From Bessie Coleman to the modern day flight crew of Delta Connection Flight 5202, barriers are being broken to

assure that our daughters have the opportunity to truly become whatever they wish to be. I am proud to recognize the accomplishments of these women and we are all honored by their efforts.

INTRODUCTION OF THE ''LABELING EDUCATION AND NUTRITION ACT OF 2009''

HON. JIM MATHESON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. MATHESON. Madam Speaker, I rise today along with my colleague Rep. FRED UPTON to introduce the ''Labeling Education and Nutrition Act of 2009''.

I am introducing this legislation so we can move toward providing consumers with key nutritional information they seek while hopefully providing restaurants with a workable framework to deliver this information to their customers. This legislation is a bipartisan effort to address nutritional labeling in this Congress. Senators CARPER and MURKOWSKI will introduce the companion bill in the coming days. With the introduction of the LEAN Act in both chambers, I believe we have an opportunity to have a constructive national conversation about uniform nutrition labeling requirements and standards.

Since 1994, the Nutrition Labeling and Education Act (NLEA) has required food manufacturers to provide nutrition information on nearly all packaged foods. However, the NLEA exempts restaurants. Due to this exemption, states, cities and counties have acted to provide nutritional information to consumers. This has led to at least 20 states introducing varying degrees of labeling requirement legislation in 2009.

From New York City to the state of California, more and more cities, counties, and states are passing differing laws mandating that chain restaurants put calories and other nutritional information on menus and menu boards. The result of this increasing state activity is a patchwork of regulation that can be confusing to the consumer and is burdensome to restaurant chains.

The LEAN Act requires restaurants and grocery stores that serve prepared foods and have 20 or more locations to disclose calories for each menu item so that consumers can access this information before making a meal choice. Under this bill, calories will be posted directly on the menu, menu board or in one of the approved alternative ways, such as a menu insert or a sign directly next to the menu board.

As we see in our own lives and daily eating habits, consumers increasingly choose to eat in restaurants. According to a 2009 Forecast report by the National Restaurant Association, Americans are looking for healthier options when they dine out. In my home state of Utah, restaurant jobs represent about 8% of the employment. American adults buy a meal or a snack from a restaurant 5 times per week on average and spend 48% of their food budget on food away from home, almost $1078 per person annually. Unfortunately, we have also seen the toll diseases such as obesity and diabetes have taken on society. By providing nutritional information, individuals with special dietary needs will be able to make the right nutritional decisions for them regarding caloric intake or sodium levels.

I appreciate the interest and leadership my colleagues have demonstrated on this issue in the past. I believe this legislation represents a compromise effort that will allow consumers to make informed decisions while also providing for greater individual responsibility in dietary choices. Finally, I hope my colleagues will work with me on this piece of legislation and I look forward to working in a bipartisan way to build upon this legislative proposal.

EARMARK DECLARATION

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. EHLERS. 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.

Requesting Member: Congressman VERNON J. EHLERS

Bill Number: H.R. 1105

Account: Health Resources and Services Administration—Health Facilities and Services

Legal Name of Requesting Entity: Saint Mary's Health Care

Address of Requesting Entity: 200 Jefferson Street SE, Grand Rapids, MI 49503

Description of Request: Provide $143,000 for an electronic medical records initiative for the Intensive Care Unit (ICU). Physicians will have real-time access to electronic records before, during, and after the ICU stay. The result will be increased patient safety and reduced errors. The technology improves care by supporting real-time access to cross-disciplinary patient results and evidenced-based information for clinical decisions. Funding will support labor, hardware and software costs.

TRIBUTE TO JULIA RANSOHOFF

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Ms. ESHOO. Madam Speaker, I rise today to pay tribute to an outstanding young student, researcher, and scientist, Julia Ransohoff. A senior at Menlo-Atherton High School in my Congressional District, Julia was recently named an Intel Science Talent Search Finalist. She is one of only 40 finalists given this prestigious award out of over 1,600 students who entered the competition.

Julia was recently recognized by the Society for Science and the Public for her groundbreaking research entitled ''The Gender Divide: Does Donor Gender Matter for Mesenchymal Stem Cell Transplantation?'' She completed this project as a student investigator at the Robbins Laboratory of Cardiothoracic Transplantation at the Stanford School of Medicine.

While working at the Stanford Institutes of Medicine Summer Research (SIMR) Program, Julia received the Jessica Lynn Saal Fellowship, which is awarded for exemplary performance and achievement in the summer program.

Not only is this young woman an accomplished scientist and researcher, she is a philanthropist and community activist. Julia is a leader in promoting peer health education. Along with her sister, Katie Ransohoff, Julia created an online peer education program for teens to prevent bullying and promote healthy relationships. She also works to encourage teen literacy through the global reading and writing initiative, Teenlit. Julia is a founder of the ''Running for a Reason Club'' at her high school, which raises money for end of life care for children.

Madam Speaker, I ask my colleagues to join me in honoring an extraordinary young American who represents the spirit of innovation and ingenuity that has guided our country for so many generations.

PERSONAL EXPLANATION

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. GENE GREEN of Texas. Madam Speaker, I rise today to state how I would have voted on March 6, 2009. With the expectation the Senate would pass the omnibus appropriations bill, and it would not be necessary to pass a continuing resolution on Friday, I returned home to Houston on Thursday night to attend meetings in our district.

On Rollcall vote No. 107, to approve the journal, I would have voted ''Yea.''

On Rollcall vote No. 108, on the motion to recommit on H.J. Res. 38, I would have voted ''Aye.''

On Rollcall vote No. 109, on the final passage of H.J. Res. 38, I would have voted ''Aye.''

IN RECOGNITION OF JEFF COOPER: GULF WAR VETERAN, FATHER, HERO

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. JONES. Madam Speaker, I rise today in recognition of Sgt. Jeff Cooper (Ret.), a North Carolina resident and a U.S. Army Veteran.

The Cooper family was recently chosen by the ABC television show Extreme Makeover: Home Edition, as the recipients of a new home. They have been living in a deteriorating double-wide trailer that is not only uncomfortable, but also is not suitable for the disabled members of their family. With the help of Edenton Builders, Inc. and thousands of volunteers from northeastern North Carolina, their home will be rebuilt in just one week. On March 13th, when the Cooper family returns home to Jamesville, North Carolina, from their vacation here in Washington, D.C., they will be welcomed into their new home.

Madam Speaker, Sgt. Cooper (Ret.) is someone who truly deserves this honor. He has earned several medals of honor for his service as an Army Combat Medic in Operation Desert Shield/Desert Storm. I remember

that when my father, Congressman Walter B. Jones, Sr., passed away, Sgt. Cooper (Ret.) paid him the great respect of placing one of the medals he had earned on my father's casket. I will always remember this meaningful gesture and kind display of appreciation for my father's service.

Unfortunately, Sgt. Cooper's (Ret.) service on behalf of our nation left him with symptoms of Gulf War Syndrome; he suffers from multiple sclerosis as well as serious immune disorders. Due to these illnesses, he is now confined to a wheelchair. Since he returned from combat, Cooper has been a tireless advocate for his fellow veterans. He has lobbied the North Carolina General Assembly for a special license plate honoring Gulf War veterans and has become an outspoken supporter of rights for the disabled.

Sgt. Cooper (Ret.) deserves to be commended not only for his service to our nation and his fellow veterans, but also for the acts of heroism he has demonstrated within his own family. When his young son Aaron was run over by a garbage truck two years ago, he used his medic skills to save his son's life, though Aaron still lost most of his right arm and has undergone several surgeries since. Cooper has served as a role model to his children, as his daughter Windy has followed her father's example by signing up for medical lab technician training with the Army National Guard.

Madam Speaker, I am pleased to offer my congratulations to the family of Sgt. Jeff Cooper (Ret.), a special person whose service to his nation and fellow veterans has made him well-deserving of this new home and special honor.

ON THE 25TH ANNIVERSARY OF THE ALEXANDRIA TRANSIT COMPANY'S (ATC) OPERATION OF THE CITY'S DASH BUS SYSTEM

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. MORAN of Virginia. Madam Speaker I rise today to recognize the 25th Anniversary of the Alexandria Transit Company's (ATC) Operation of the City's DASH Bus System. DASH stands for Driving Alexandrians Safely Home.

Back during the early 1980s, Alexandria Mayor Charles ''Chuck'' Beatley had a vision of a local bus system that would serve the transit needs of the Alexandria community and provide high quality transit service for its residents, workers, and visitors.

Mayor Beatley could have done no better than to name Mr. William B. ''Bill'' Hurd as the first chairman of the Alexandria Transit Company. In Mr. Hurd, Mayor Beatley found not only a person who shared his vision of a new transit service, but also a supremely competent administrator who worked tirelessly for the next 22 years to create and sustain the DASH service. During his tenure as chairman, he delivered safe and reliable service with clean buses and friendly, courteous drivers.

Today, ATC is recognized nationally and throughout the Commonwealth of Virginia for the service it provides and has won many outstanding achievement awards over the years, including the American Public Transportation Association's (APTA) System Safety Award for five consecutive years, the APTA Public Transportation System Outstanding Achievement Award, the Governor's Transportation Safety Award, the APTA first place AdWheels Marketing Award for innovative and creative marketing efforts for four years, the Virginia Department of Rail and Public Transportation (VDRPT) Outstanding Urban Public Transportation System Award, the Virginia Department of Rail and Public Transportation (VDRPT) Innovative Program Award for six years, and the Virginia Transit Association (VTA) Outstanding Public Transportation Marketing Award for the ''Dash About'' service and ''DASHing Around Alexandria'' campaign. ATC was also recognized three years in a row by the Alexandria community as one of the top five city services for quality.

Today DASH continues to provide clean, safe, affordable and reliable service every day to thousands of commuters, city residents, and visitors, but it has also grown to meet the needs of a growing city and the changing times. Over the past 25 years ridership has grown by more than 330 percent. Annual ridership has eclipsed four million. Fourteen thousand people ride DASH everyday and 10,000 ride on weekends. Service has grown from 582,000 service miles in the first full year of service in 1985 to more than. 1.5 million service miles today.

Alexandria has many amenities as a charming, livable community; its historic homes and gardens, its street side restaurants and shops, the Potomac waterfront and its engaged, civic-minded citizenry. DASH contributes to Alexandria's high quality of life by preserving the city's livability, mitigating traffic, improving circulation and mobility throughout the City, and providing easier access to local businesses, retail and employment centers, residential developments, and the regional Metrorail and the Virginia Railway Express commuter rail systems.

And as we begin to focus on the environmental challenges of air pollution and global warming, DASH has a key roll to play in promoting a less carbon intense alternative to the automobile. To demonstrate its commitment to a greener, eco-friendly city, the new DASH building under construction will be a LEED Certified Silver building.

I salute ATC and DASH for twenty-five years of superb service. I also salute its employees and the Board of Directors, for their contributions and efforts to improve public transportation service throughout the City, for their achievements that have been recognized both nationally and by the Commonwealth of Virginia, and in providing the highest quality of service to Alexandria.

I wish them a successful future.

HONORING DEREK JAMES STRICKLAND

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 9, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Derek James Strickland 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 357, and in earning the most prestigious award of Eagle Scout.

Derek has been very active with his troop participating in many scout activities. Over the many years Derek 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 Derek James Strickland for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, March 10, 2009 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 11

10 a.m.
Budget
To hold hearings to examine the President's proposed budget request for fiscal year 2009 for the Department of Energy.
SD–608

Judiciary
Constitution Subcommittee
To hold joint hearings with the House Committee on the Judiciary Subcommittee on the Constitution, Civil Rights, and Civil Liberties to examine S. J.Res. 7 and H. J.Res. 21, proposing an amendment to the Constitution of the United States relative to the election of Senators.
SH–216

Homeland Security and Governmental Affairs
To hold hearings to examine violent Islamist extremism, focusing on al-Shabaab recruitment in American.
SD–342

Rules and Administration
To hold hearings to examine voter registration, focusing on assessing current problems.
SR–301

10:30 a.m.
Joint Economic Committee
To hold hearings to examine Troubled Asset Relief Program (TARP) accountability and oversight, focusing on achieving transparency.
SD–106

MARCH 12

9:30 a.m.
Energy and Natural Resources
To hold hearings to examine proposed legislation regarding siting of electricity transmission lines, including increased federal siting authority and regional transmission planning.
SD–366

Indian Affairs
To hold hearings to examine the President's proposed budget request for fiscal year 2009 for tribal priorities.
SD–628

Veterans' Affairs
To hold joint hearings to examine legislative presentations of veterans' service organizations.
SD–106

10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine sustainable transportation solutions, focusing on investing in transit to meet 21st century challenges.
SD–538

Budget
To hold hearings to examine the President's fiscal year 2010 budget and revenue proposals.
SD–608

Commerce, Science, and Transportation
To hold hearings to examine climate science, focusing on empowering our response to climate change.
SR–253

Finance
To hold hearings to examine workforce issues in health care reform, focusing on assessing the present and preparing for the future.
SD–215

Judiciary
Business meeting to consider S. 49, to help Federal prosecutors and investigators combat public corruption by strengthening and clarifying the law, and the nomination of Dawn Elizabeth Johnsen, of Indiana, to be an Assistant Attorney General.
SD–226

2:30 p.m.
Energy and Natural Resources
To hold hearings to examine the nomination of David J. Hayes, of Virginia, to be Deputy Secretary of the Interior.
SD–366

Intelligence
Closed business meeting to markup certain intelligence matters.
SH–219

MARCH 17

9:30 a.m.
Armed Services
To hold hearings to examine United States Southern Command, United States Northern Command, United States Africa Command, and United States Transportation Command.
SH–216

MARCH 18

9:30 a.m.
Veterans' Affairs
To hold joint hearings to examine the legislative presentation of the Veterans of Foreign Wars.
334, Cannon Building

10 a.m.
Judiciary
To hold hearings to examine the National Academy of Science's report Strengthening Forensic Science in the United States: A Path Forward.
SD–226

MARCH 19

9:30 a.m.
Armed Services
To hold hearings to examine United States Pacific Command, United States Strategic Command, and United States Forces Korea.
SH–216

10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine cybersecurity, focusing on assessing our vulnerabilities and developing an effective defense.
SR–253

MARCH 25

9:30 a.m.
Veterans' Affairs
To hold hearings to examine State-of-the-Art information technology (IT) solutions for Veterans' Affairs benefits delivery.
SR–418

2:30 p.m.
Commerce, Science, and Transportation
Aviation Operations, Safety, and Security Subcommittee
To hold hearings to examine Federal Aviation Administration reauthorization, focusing on NextGen and the benefits of modernization.
SR–253

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2873–S2917

Measures Introduced: Eleven bills and four resolutions were introduced, as follows: S. 544–554, S. Res. 69–71, and S. Con. Res. 10. **Page S2909–10**

Measures Reported:

Special Report entitled ''Report of the Select Committee on Intelligence for the 110th Congress''. (S. Rept. No. 111–6) **Page S2909**

Measures Passed:

National Reading Month: Senate agreed to S. Res. 69, designating March 2009 as ''National Reading Month'' and authorizing the collection of non-monetary book donations in Senate office buildings during the period beginning March 9, 2009 and ending March 27, 2009 from Senators and officers and employees of the Senate to assist elementary school students in the Washington, DC metropolitan area. **Page S2874**

Relative to Robert Levinson: Committee on Foreign Relations was discharged from further consideration of S. Con. Res. 4, calling on the President and the allies of the United States to raise the case of Robert Levinson with officials of the Government of Iran at every level and opportunity, and urging officials of the Government of Iran to fulfill their promises of assistance to the family of Robert Levinson and to share information on the investigation into the disappearance of Robert Levinson with the Federal Bureau of Investigation, and the resolution was then agreed to. **Pages S2915–16**

Congratulating Sailors: Senate agreed to S. Con. Res. 10, congratulating the Sailors of the United States Submarine Force upon the completion of 1,000 Ohio-class ballistic missile submarine (SSBN) deterrent patrols. **Pages S2916–17**

Measures Considered:

Omnibus Appropriations Act: Senate resumed consideration of H.R. 1105, making omnibus appropriations for the fiscal year ending September 30, 2009, taking action on the following amendments proposed thereto: **Pages S2874–S2903**

Rejected:

By 32 yeas to 63 nays (Vote No. 86) McCain Amendment No. 593, to prohibit the use of certain funds provided in the bill.

Pages S2874, S2895–98, S2900

By 34 yeas to 61 nays (Vote No. 87) Kyl Amendment No. 630, to require a report on counter-smuggling efforts in Gaza.

Pages S2874, S2889, S2890–92, S2900–01

By 39 yeas to 56 nays (Vote No. 88) Kyl Amendment No. 631, to require the Secretary of State to certify that funds made available for reconstruction efforts in Gaza will not be diverted to Hamas or entities controlled by Hamas.

Pages S2874–81, S2892–95, S2901

By 42 yeas to 53 nays (Vote No. 89) Enzi Amendment No. 668, to prohibit the use of funds to modify certain HIV/AIDS funding formulas.

Pages S2883, S2899–S2900, S2901–02

Barrasso (and Enzi) Amendment No. 637, to remove the new application fee for a permit to drill.

Page S2902

Pending:

Ensign Amendment No. 615, to strike the restrictions on the District of Columbia Opportunity Scholarship Program. **Pages S2874, S2878–83**

Kyl Amendment No. 629, to provide that no funds may be used to resettle Palestinians from Gaza into the United States. **Pages S2874, S2889**

Bunning Amendment No. 665, to require the Secretary of State to issue a report on investments by foreign companies in the energy sector of Iran.

Page S2895

Sessions Amendment No. 604, to extend the pilot program for employment eligibility confirmation established in title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 for 6 years. **Pages S2898–99**

A unanimous-consent-time agreement was reached providing the remaining amendments be considered and debated and that after all debate time has been concluded on the remaining amendments, Senate vote in relation to the amendments in a sequence established under a subsequent order; that there be two minutes of debate, equally divided and controlled in the usual form, prior to a vote in relation

to each amendment; provided further, that after the first vote in the sequence, the remaining vote times be limited to 10 minutes each; provided further, that upon disposition of all remaining amendments, there then be 30 minutes of debate, equally divided and controlled between the Majority and Republican Leaders, or their designees, prior to a vote on the motion to invoke cloture on the bill; and that upon disposition of the amendments and the Senate having voted on the motion to invoke cloture on the bill, and cloture having been invoked, all post-cloture time be considered yielded back, the bill be read a third time, and Senate vote on passage of the bill. **Page S2903**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10 a.m. on Tuesday, March 10, 2008. **Page S2917**

Appointments:

Senate National Security Working Group: The Chair announced, on behalf of the Majority Leader, pursuant to the provisions of S. Res. 105, (adopted April 13, 1989), as amended by S. Res. 149, (adopted October 5, 1993), as amended by Public Law 105–275, (adopted October 21, 1998), further amended by S. Res. 75, (adopted March 25, 1999), and S. Res. 383, (adopted October 27, 2000), and amended by S. Res. 355, (adopted November 13, 2002), and further amended by S. Res. 480, (adopted November 21, 2004), appointed the following Senators as members of the Senate National Security Working Group for the 111th Congress: Senator Levin, Democratic Co-Chairman, Senator Kerry, Democratic Co-Chairman, Senator Lautenberg, Democratic Co-Chairman, Senator Dorgan, Senator Durbin, Senator Cardin, and Senator Byrd, as Majority Administrative Co-Chairman. **Page S2917**

Nomination—Cloture Motion: Senate began consideration of the nomination of David W. Ogden, of Virginia, to be Deputy Attorney General.

A motion was entered to close further debate on the nomination of David W. Ogden, of Virginia, to be Deputy Attorney General and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Wednesday, March 11, 2009. **Page S2903**

Nomination—Cloture Motion: Senate began consideration of the nomination of Austan Dean Goolsbee, of Illinois, to be a Member of the Council of Economic Advisers.

A motion was entered to close further debate on the nomination of Austan Dean Goolsbee, of Illinois, to be a Member of the Council of Economic Advisers and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Wednesday, March 11, 2009. **Page S2903**

Nomination—Cloture Motion: Senate began consideration of the nomination of Cecilia Elena Rouse, of California, to be Member of the Council of Economic Advisers.

A motion was entered to close further debate on the nomination of Cecilia Elena **Rouse**, of California, to be Member of the Council of Economic Advisers and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Wednesday, March 11, 2009. **Pages S2903–04**

Messages from the House: **Page S2909**

Measures Placed on the Calendar: **Page S2909**

Executive Communications: **Page S2909**

Additional Cosponsors: **Pages S2910–11**

Statements on Introduced Bills/Resolutions: **Pages S2911–14**

Additional Statements: **Pages S2908–09**

Amendments Submitted: **Page S2915**

Notices of Hearings/Meetings: **Page S2915**

Authorities for Committees To Meet: **Page S2915**

Privileges of the Floor: **Page S2915**

Record Votes: Four record votes were taken today. (Total—89) **Pages S2900–02**

Adjournment: Senate convened at 2 p.m. and adjourned at 7:20 p.m., until 10 a.m. on Tuesday, March 10, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2917.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Finance: Committee concluded a hearing to examine the nomination of Ronald Kirk, of Texas, to be United States Trade Representative, with the rank of Ambassador, after the nominee, who was introduced by Senator Cornyn, testified and answered questions in his own behalf.

PREVENTING WORKER EXPLOITATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine preventing worker exploitation, focusing on protecting individuals with disabilities and other vulnerable populations, after receiving testimony from John L. McKeon, Deputy Administrator for Enforcement,

Wage and Hour Division, and James B. Leonard, former attorney, both of the Department of Labor; Curtis Decker, National Disability Rights Network, Washington, DC; Joyce Bender, Bender Consulting Services, Pittsburgh, Pennsylvania; and Kim Bobo, Interfaith Worker Justice, Chicago, Illinois.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 22 public bills, H.R. 1382–1403; and 7 resolutions, H.J. Res. 39; and H. Res. 222–227, were introduced. **Pages H3103–05**

Additional Cosponsors: **Pages H3105–06**

Report Filed: A report was filed today as follows:

H.R. 1262, to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, with an amendment (H. Rept. 111–26). **Page H3103**

Speaker: Read a letter from the Speaker wherein she appointed Representative Edwards (MD) to act as Speaker pro tempore for today. **Page H3079**

Recess: The House recessed at 12:36 p.m. and reconvened at 2 p.m. **Pages H3079–80**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Expressing the sense of the House of Representatives that providing breakfast in schools through the National School Breakfast Program has a positive impact on classroom performance: H. Res. 210, to express the sense of the House of Representatives that providing breakfast in schools through the National School Breakfast Program has a positive impact on classroom performance, by a ⅔ yea-and-nay vote of 383 yeas to 11 nays, Roll No. 110; **Pages H3081–83, H3087–88**

Congratulating the National Assessment Governing Board on its 20th Anniversary in measuring student academic achievement: H. Res. 222, to congratulate the National Assessment Governing Board on its 20th Anniversary in measuring student academic achievement, by a ⅔ yea-and-nay vote of 388 yeas to 9 nays with 1 voting ''present'', Roll No. 111; and **Pages H3083–85, H3088**

Ronald Reagan Centennial Commission Act: H.R. 131, amended, to establish the Ronald Reagan Centennial Commission, by a ⅔ recorded vote of 371 ayes to 19 noes with 1 voting ''present'', Roll No. 112. **Pages H3085–87, H3088–89**

Recess: The House recessed at 2:56 p.m. and reconvened at 6:30 p.m. **Page H3087**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on pages H3080–81.

Quorum Calls—Votes: Two yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H3087–88, H3088, and H3089. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 9:20 p.m.

Committee Meetings

No committee meetings were held.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D158)*

H.J. Res. 38, making further continuing appropriations for fiscal year 2009. Signed on March 6, 2009. (Public Law 111–6)

COMMITTEE MEETINGS FOR TUESDAY, MARCH 10, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings to examine current and future threats to the national security of the United States; with the possibility of a closed session to follow in SH–219, 9:30 a.m., SH–216.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine enhancing investor protection and the regulation of securities markets, 10:30 a.m., SD–538.

Committee on the Budget: to hold hearings to examine the President's proposed budget for fiscal year 2010, 2:30 p.m., SD–608.

Committee on Energy and Natural Resources: to hold hearings to examine proposed legislation to provide for the conduct of an in-depth analysis of the impact of energy

development and production on the water resources of the United States, 10 a.m., SD–366.

Committee on Finance: to hold hearings to examine the President's fiscal year 2010 health care proposals, 10 a.m., SD–215.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine rebuilding economic security, focusing on empowering workers to restore the middle class, 10 a.m., SD–106.

Full Committee, to hold hearings to examine the next generation of national service, 2:30 p.m., SD–430.

Committee on the Judiciary: to hold hearings to examine patent reform in the 111th Congress, focusing on legislation and recent court decisions, 10 a.m., SD–226.

Full Committee, to hold hearings to examine the nominations of Lanny A. Breuer, of the District of Columbia, Christine Anne Varney, of the District of Columbia, and Tony West, of California, each to be an Assistant Attorney General, 2:30 p.m., SD–226.

Committee on Veterans' Affairs: to hold an oversight hearing to examine budget for veterans programs for fiscal year 2010, 9:30 a.m., SR–418.

Select Committee on Intelligence: to hold hearings to examine the nomination of David S. Kris, of Maryland, to be an Assistant Attorney General, 2:30 p.m., SD–106.

House

Committee on Appropriations, Subcommittee on Commerce, Justice, Science, and Related Agencies, on Major Challenges Facing Federal Prisons, 10 a.m., and 2 p.m., and on Offender Drug Abuse Treatment Approaches, 3 p.m., H–309 Capitol.

Subcommittee on Defense, on Marine Corps Ground Equipment, 10 a.m., H–140 Capitol.

Subcommittee on Financial Services and General Government, on Treasury Actions Relating to the Financial Crisis, 10 a.m., 2359 Rayburn.

Subcommittee on Homeland Security, on Secure Border Initiative and Control of the Land Border, 10 a.m., and on Department of Homeland Security Response to Violence on the Border with Mexico, 11:30 a.m., 2358–C Rayburn.

Subcommittee on State and Operations, on The Merida Initiative, 10 a.m., 2362A Rayburn.

Subcommittee on Transportation, Housing and Urban Development and Related Agencies, on Department of Transportation Inspector General and GAO, Top Management Challenges and High Risk, 10 a.m., 2358–A Rayburn.

Committee on Armed Services, Subcommittee on Seapower and Expeditionary Forces, hearing on Littoral Combat Ship program update, 10 a.m., 2118 Rayburn.

Committee on Education and Labor, Subcommittee on Health, Employment, Labor and Pensions, hearing on Strengthening Employer-Based Health Care, 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy and Environment, hearing on the Future of Coal under Climate Legislation, 9:30 a.m., 2322 Rayburn.

Subcommittee on Health, hearing on Making Health Care Work for American Families with emphasis on Designing a High Performance Healthcare System, 10 a.m., 2123 Rayburn.

Committee on Financial Services, hearing entitled ''Exploring the Balance between Increased Credit Availability and Prudent Lending Standards,'' 10 a.m., 2128 Rayburn.

Committee on Homeland Security, Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology, hearing entitled ''Reviewing the Federal Cybersecurity, Mission,'' 2 p.m., 311 Cannon.

Committee on the Judiciary, hearing on H.R. 848, Performance Rights Act, 10 a.m., 2141 Rayburn.

Subcommittee on Crime, Terrorism and Homeland Security, hearing on Sex Offender Registration and Notification Act (SORNA): Barriers to Timely Compliance by States, 2 p.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Water and Power, oversight hearing on Federal Power Marketing Administration Borrowing Authority: Defining Success, 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, to mark up the following: the Electronic Message Preservation Act; H.R. 1320, Federal Advisory Committee Act Amendments of 2009; H.R. 1323, Reducing Information Control Designations Act; Title IV of H.R. 1256, Thrift Savings Plan Enhancement Act of 2009; H. Res. 166, Recognizing the 450th birthday of the settlement of Pensacola, Florida, and encouraging the people of the United States to observe the 450th birthday of the settlement of Pensacola, Florida, and remember how the rich history of Pensacola, Florida, has likewise contributed to the rich history of the United States; H. Res. 178, Expressing the need for enhanced public awareness of traumatic brain injury and support for the designation of a National Brain Injury Awareness Month; H. Res. 22, Expressing the sense of the House of Representatives that the Senate should ratify the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); H.R. 918, To designate the facility of the United States Postal Service located at 300 East 3rd Street in Jamestown, New York, as the ''Stan Lundine Post Office Building;'' H.R. 955, to designate the facility of the United States Postal Service located at 10355 Northeast Valley Road in Rollingbay, Washington, as the ''John 'Bud' Hawk Post Office;'' H.R. 987, To designate the facility of the United States Postal Service located at 1601 8th Street in Freedom Pennsylvania as the ''John Scott Challis, Jr., Post Office; H.R. 1216, To designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the ''Lance Corporal Matthew P. Pathenos Post Office Building;'' H.R. 1217, To designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the ''Specialist Peter J. Navarro Post Office Building;'' H.R. 1218, To designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the ''Lance Corporal Drew W. Weaver Post Office Building;'' and H.R. 1284, To designate the facility of the United States Postal Services located at 103 West Main Street in McLain, Mississippi, as the ''Major Ed W. Freeman Post Office;'' 2 p.m., 2154 Rayburn.

Committee on Science and Technology, Subcommittee on Technology and Innovation, hearing on Strengthening Forensic Science in the United States: The Role of the National Institute of Standards and Technology, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Lands and Emergency Management, hearing on EDA Reauthorization: Rating Past Performances and Setting Goals During an Economic Crisis, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, hearing on U.S. Department of Veterans Affairs Budget Request for Fiscal Year 2010, 2 p.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Trade, to meet for organizational purposes, 11:15 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive briefing on National Intelligence Council, 4 p.m., 304 HVC.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine the impact of potential climate remediation policies on carbon-intensive United States industries and creating climate-friendly economic and trade polices, focusing on how the financial crisis impacts the implementation of climate-friendly policies within the United States and among trading partners, 10 a.m., SR–428A.

Next Meeting of the **SENATE**

10 a.m., Tuesday, March 10

Senate Chamber

Program for Tuesday: Senate will continue consideration of H.R. 1105, Omnibus Appropriations Act, and after a period of debate vote on certain amendments, and then vote on the motion to invoke cloture on the bill.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10:30 a.m., Tuesday, March 10

House Chamber

Program for Tuesday: Consideration of the following suspensions: (1) H. Con. Res. 64—Urging the President to designate 2009 as the ''Year of the Military Family''; (2) H. Con. Res. 37—Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; (3) H. Con. Res. 38—Authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service; (4) H. Con. Res. 39—Authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run; (5) H.R. 813—The ''J. Herbert W. Small Federal Building and United States Courthouse'' Designation Act; (6) H.R. 837—The ''Ronald H. Brown United States Mission to the United Nations Building'' Designation Act; (7) H.R. 842—The ''R. Jess Brown United States Courthouse'' Designation Act; (8) H.R. 869—The ''Scott Reed Federal Building and United States Courthouse'' Designation Act; (9) H.R. 887—The ''James A. Leach United States Courthouse'' Designation Act; (10) H. Res. 194—Supporting the goals of International Women's Day; and (11) H. Res. Recognizing the plight of the Tibetan people on the 50th Anniversary of His Holiness the Dalai Lama being forced into exile, and calling for a sustained multilateral effort to bring about a durable and peaceful solution to the Tibet issue.

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